

KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW J. ZARRO (4)

MARK N. DION (5)  
APRIL FOURNIER (A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR. (A/L)

## **CITY COUNCIL MEETING - SEPTEMBER 20, 2021 AT 5:00 PM**

The Portland City Council will hold a City Council Meeting remotely using Zoom. The Honorable Kate Snyder, Mayor, will preside.

To submit written public comment on an agenda item, email [publiccomment@portlandmaine.gov](mailto:publiccomment@portlandmaine.gov). Submissions must be received by 12:00 pm the day of the Council meeting to guarantee their inclusion in the agenda packet. All submissions must include the commenter's name and legal address. To help ensure your comment is submitted for the correct item, please include the order number (see below).

### **ZOOM INFORMATION:**

Due to the existence of an emergency or urgent issue the City Council will conduct this meeting by remote methods/technology at the Zoom link provided below, in accordance with the requirements of 1 M.R.S. section 403-B and the City Council's Remote Participation Policy.

Please click the link below to join the webinar:

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### **PLEDGE OF ALLEGIANCE:**

### **ROLL CALL:**

### **ANNOUNCEMENTS:**

**Announcement by Kate Snyder, Mayor, regarding Katherine L. Jones' recognition as the 2021 "Clerk of the Year" by the Maine Town and City Clerks' Association**

### **RECOGNITIONS:**

### **APPROVAL OF MINUTES OF PREVIOUS MEETING:**

**Approval of the draft September 8, 2021 City Council Meeting Minutes**

## **PROCLAMATIONS:**

**Proclamation 5-21/22 Recognizing September 15 to October 15, 2021 as Hispanic Heritage Month - Sponsored by Pious Ali, Councilor**

**Proclamation 6-21/22 Recognizing September 20 to September 25, 2021 as National Clean Energy Week - Sponsored by Kate Snyder, Mayor**

**Proclamation 7-21/22 Recognizing September 27 to October 3, 2021 as Diaper Need Awareness Week - Sponsored by Kate Snyder, Mayor**

**Proclamation 8-21/22 Recognizing September 30, 2021 as the National Day of Remembrance for U.S. Indian Boarding Schools - Sponsored by April Fournier, Councilor**

## **CONSENT ITEMS:**

**Order 49-21/22 Accepting the Donation of the former Casco Bay Creamery Shack from Doug Hassan - Sponsored by Jon P. Jennings, City Manager**

Doug Hassan, d/b/a Casco Bay Creamery (CBC), leased land from the City near the Portland Ocean Terminal for three years, and his lease terminated October 31, 2019. Doug Hassan has made an application to donate his moveable ice cream shack, excluding its contents and the CBC sign, to the City.

This donation could be used for a number of purposes to benefit the public, including leasing to an organization or business. The shack is approximately an 8-foot octagon (see attached picture) and is set on posts, so it can be easily moved.

Five affirmative votes are required for passage of consent items after public comment.

## **LICENSES:**

**Order 50-21/22 Granting Municipal Officers' Approval of A&P Pop Ups LLC, dba Jack's Twisted Mansion. Application for a Class 1 FSE with Indoor Entertainment at 156 State St. - Sponsored by Jon P. Jennings, City Manager**

Application was filed on 7/27/21. New City and State applications. Location was previously Black Tie Catering. A Class A Restaurant (Class I) is a permitted use in the B-3 zone. The City Council approved a Zoning Map Amendment to change the zone of this property from R-6 to B-3 on September 8, 2021.

Five affirmative votes are required for passage after public comment.

**Order 51-21/22 Granting Municipal Officers' Approval of XGP LLC, dba X-Golf Portland. Application for a Class XI Restaurant/Lounge at 101 York St. - Sponsored by Jon P. Jennings, City Manager**

Application was filed on 8/27/21. New City and State applications.

Five affirmative votes are required for passage after public comment.

**Order 52-21/22 Granting Municipal Officers' Approval of Wallace Project LLC, dba Maps. Application for a Class X Lounge at 64 Market St. - Sponsored by Jon P. Jennings, City Manager**

Application was filed on 8/31/21. New City and State applications. Applicant currently holds Class III & IV FSE at this location.

Five affirmative votes are required for passage after public comment.

**Order 53-21/22 Granting Municipal Officers' Approval of Maine Craft Distilling LLC dba Maine Craft Distilling. Renewal application for a Combined Entertainment License at 123 Washington Ave. - Sponsored by Jon P. Jennings, City Manager**

A renewal application was filed on 8/11/2021 by Maine Craft Distilling LLC. The applicant currently holds a Class XI FSE with Combined Entertainment and Outdoor Dining on Private Property. Councilor Belinda Ray requested that the renewal be considered by the City Council.

Five affirmative votes are required for passage after public comment.

**Written Public Comment**

**UNFINISHED BUSINESS:**

**Order 45-21/22 Traffic Schedule Amendment Re: Closing Dana, Wharf and Part of Milk Street to Through Traffic - Sponsored by Jon P. Jennings, City Manager**

On August 31, 2021, the Housing & Economic Development Committee (HEDC) voted unanimously (4-0) to forward the proposal to close Dana Street, Wharf Street, and one block of Milk Street (between Market and Exchange) to through traffic to the full Council for approval.

These recommendations are part of Open Air Portland, a program developed to support increased pedestrian, bicycle, and business activity outdoors. Additional information, including information requested by HEDC on August 31, is included in the agenda packet.

In developing the program, staff collected feedback from various external stakeholders. Regarding the closure of Dana, Wharf, and part of Milk Street to vehicle traffic, 81% of respondents said it was a "good idea", 8% said it was a "bad idea", and 11% said they were "unsure". More survey results and program details are included in the backup materials.

This item must be read on two separate days. It received its first reading on September 8, 2021. Five affirmative votes are required for passage after public comment.

**Order 46-21/22 Amendment to Portland City Code Chapter 25 Re: Parklet Fee Reduction - Sponsored by Jon P. Jennings, City Manager**

On August 31, 2021, the Housing & Economic Development Committee unanimously voted (4-0) to forward the proposal to reduce parklet permit application fees to the full Council for approval.

This recommendation is part of Open Air Portland, a program developed to support increased pedestrian, bicycle, and business activity outdoors. This recommendation is also designed to help businesses during the economic uncertainty caused by COVID-19.

According to Chapter 25, the parklet permit application fee is \$5,520, which reflects the costs associated with the program administration (staff time, loss of parking revenue, etc.). During the pandemic and with the authority granted to him via a temporary Emergency Order, the City Manager temporarily reduced the fees to \$1,092 in recognition of the economic challenges facing small businesses.

To continue to support small businesses through their recovery, this item would amend Chapter 25 so that the fee associated with one parklet permit is \$3,000 and the fee for two parklet permits is \$5,000. This fee schedule will be evaluated annually to ensure the City can fully recoup the costs associated with program implementation.

In developing Open Air Portland, staff collected feedback from various external stakeholders. Businesses currently licensed to operate on parklets indicated that, if parklet fees were set at \$3,000 (for one) and \$5,000 (for two), 1/3 of them would continue to operate on a parklet; 1/3 would no longer continue to operate on a parklet; and 1/3 were unsure.

This item must be read on two separate days. It received its first reading on September 8, 2021. Five affirmative votes are required for passage after public comment.

### **Written Public Comment**

#### **Order 47-21/22 Accepting and Appropriating \$40,909.09 in Assistance to Firefighters Grant Funding from Federal Emergency Management Agency - Sponsored by Jon P. Jennings, City Manager**

The Portland Fire Department was recently awarded Federal Emergency Management Agency (FEMA) funding of \$40,909.09 to support the work of a new, full-time mental health employee within the Fire Department. The local match for this grant is \$4,090.01 and is accounted for in the FY22 budget.

Specifically, this funding will support training, workshops, equipment and other services for the position. Per FEMA guidelines, funding must be accepted by September 25, 2021.

This item must be read on two separate days. It received its first reading on September 8, 2021. Five affirmative votes are required for passage after public comment.

#### **Order 48-21/22 Order Declaring an Emergency - Sponsored by Kate Snyder, Mayor**

After hearing from City of Portland public health officials at a workshop on September 8, 2021, the City Council called a special meeting on September 13, 2021 in order to



consider amending its emergency proclamation to, among other things, mandate the use of face coverings in public indoor spaces located in the City. Public health officials made it clear that critical care hospitalizations in Maine have reached their highest numbers for the entire period of the Covid-19 pandemic. And that this is happening despite a high county-wide rate of vaccinations and is primarily the result of the Delta variant's contagiousness. As a result, they, along with the United States Centers for Disease Control and Prevention officials and the Maine Center for Disease Control officials, all advise the use of all preventative measures, including the use of face coverings in public indoor spaces. It is hoped that these measures will succeed at stopping the relentless spread of Covid-19, especially among the immune-compromised and children under 12, who are not yet allowed to be vaccinated.

At the September 13, 2021 special meeting, the Council voted (8-1) to postpone their vote on the emergency proclamation to September 20, 2021 to gather additional information. Staff is requesting that this item be passed as an emergency. Seven votes are required for passage as an emergency following public comment.

### **Written Public Comment**

## **ORDERS:**

### **Order 54-21/22 Appointing Local Health Officer Bridget Rauscher Constable - Sponsored by Kate Snyder, Mayor**

This order appoints Local Health Officer Bridget Rauscher constable for the 2021 calendar year. The appointment would authorize her to enforce the mask mandate under consideration in the Emergency Order 48-21/22.

This appointment is effective from the effective date of the order until 12:00 midnight, December 31, 2021, and is made pursuant to Portland City Code, Sections 2019 and 20-19.5. Constables are not allowed to carry a firearm, concealed or unconcealed, in the performance of their duties, or to make arrests or issue parking tickets, except for the constables listed who work for the Parking Division and issue parking tickets as part of their job.

In order to authorize Ms. Rauscher to enforce the mask mandate, if adopted, staff is asking that this order be passed as an emergency. Seven affirmative votes are required for passage after public comment.

### **Order 55-21/22 Adopting the Western Promenade Historic Landscape Master Plan - Sponsored by Jon P. Jennings, City Manager**

The Parks, Recreation and Facilities Department and the Historic Preservation Office of the Planning and Urban Development Department have partnered with the Friends of Western Promenade to prepare a Master Plan for the Western Promenade. The plan was reviewed by the Sustainability & Transportation Committee in May 2021.

Five affirmative votes are required for passage after public comment.

**Order 56-21/22 Approving a Request for Proposals for the Sale and Development of the Thames Street Lot at Fore Street Connector - Sponsored by the Housing & Economic Development Committee, Councilor Spencer Thibodeau, Chair**

The Housing & Economic Development Committee (HEDC) met on August 31, 2021, and voted 4-0 to recommend to the City Council that it approve this proposed Request for Proposals (RFP) for sale of the remaining portion of the Thames Street property.

In 2018/2019, a portion of the Thames Street property was sold through a similar RFP process to support attracting the WEX Headquarters and a new parking garage with 83,000 square feet of commercial space (occupied by WEX and the Roux Institute) located at 100 Fore Street.

Staff's proposed approach, similar to the above, is to solicit proposals for the remaining portion of the Thames Street property (bounded by Mountfort Street right-of-way, Thames Street, the new Connector Road and adjacent to privately owned property which includes the VA Clinic and other tenants) through a public RFP process. HEDC and City Council will have final decision-making over any purchase and sale agreement related to the sale of this property.

Five affirmative votes are required for passage after public comment.

**Order 57-21/22 Updating and Establishing Maintenance and Implementation Assessments for Portland Downtown for Fiscal Year 2021-2022 - Sponsored by Jon P. Jennings, City Manager**

This Order updates the mill rate being used in the special assessment of property in the Portland Downtown (PD) District to \$0.57 per \$1,000 of property value (from \$0.54 per \$1,000 of property value). This update is necessary due to changes in property valuations since Order 299-21/22 was passed on July 19, 2021.

This change is also necessary to raise the funds for PD's FY2022 budget of \$1,036,500.

The Portland Downtown (PD) District was originally established by the City Council on March 16, 1992. Since then, each year in June, for the following fiscal year starting July 1st, City Council authorization to establish the PD District special assessment and approve the related documents is needed.

At the July 19, 2021, City Council meeting, three Orders were approved for PD for FY2022: (1) Adopting the Development Program for the PD; (2) Assessing Maintenance and Implementation Assessments in the PD District; and, (3) authorizing the Agreement for work to be done by PD and work to be done by the City.

Staff recommends that the first reading be waived and the measure passed as an emergency. Seven affirmative votes are required for passage as an emergency after public comment.

**Order 58-21/22 Appropriating \$150,000 from the Housing Trust Fund to Developers Collaborative Predevelopment LLC Re: Phoenix at Danforth - Sponsored by the**

**Housing & Economic Development Committee, Councilor Spencer Thibodeau, Chair**

The Housing & Economic Development Committee met on August 31, 2021 and voted unanimously (4-0) to forward this item to the City Council with a recommendation for passage.

Developers Collaborative is proposing to construct 30 units of affordable housing on a site it owns at 155 Danforth Street. 100% of the units will have income restrictions.

The City Council previously approved an Affordable Housing Tax Increment Financing District (Order 280-18/19 and Order 28-18/19) to renovate the existing building at 66 State Street and to construct 155 Danforth Street. \$299,999 in HOME subsidy financing was also approved by the City Council for 155 Danforth Street (Order 33-19/20).

This order appropriates \$150,000 from the Housing Trust Fund to Developers Collaborative for the affordable housing project called Phoenix at Danforth, located at 155 Danforth Street.

This item must be read on two separate days. This is its first reading.

**AMENDMENTS:**

**Order 59-21/22 Amendment to the Portland City Code Chapter 2 Re: Additional Senior Tax Relief - Sponsored by the Finance Committee, Nicholas Mavodones, Chair**

The Finance Committee met on September 9, 2021 and voted 3-0 to forward this amendment to the full City Council for approval.

This Order would increase maximum P-STEP payments from \$900 to \$1,200 (matching State of Maine maximum payments) effective upon passage by the City Council. In FY22 only (the "bridge" year), maximum payments would be doubled for eligible applicants who own a homestead in the City and applied directly to property taxes due.

LD 1638 (An Act To Help Seniors and Certain Persons with Disabilities Remain in their Homes by Providing for the Deferral of Property Taxes) was signed into law by Governor Mills on July 19, 2021. Taxpayers who qualify for this program are eligible to defer their property taxes due until the sale of their homes at a later date. Under this program, the State of Maine will pay a municipality directly for any property taxes due, place a lien on the property, but not foreclose on the loan so the property taxpayer could remain in the home as long as necessary. This program is a win-win-win for the State, local municipality, and the property taxpayer. Unfortunately, due to the timing of the law passage, the program will not go into effect until the FY23 tax year (application period opens in January 2022 for FY23 tax bills), so it is not available for the current property tax year. For many low income seniors in Portland, an option for a "bridge program" for the upcoming tax year (FY22) which will assist them until the State deferral program goes into place is necessary. The most critical component of the bridge program is increasing the maximum payments available under the Portland Senior Tax Equity Program (P-STEP).

This item must be read on two separate days. This is its first reading.

**6:00 P.M. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:**

**ZOOM INFORMATION:**

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Webinar ID: 823 8866 1337

Passcode: 466635

International numbers available: <https://us02web.zoom.us/j/82388661337?pwd=eGhyYUFWK2F5MEdHZllleExJQUVaZz09>

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

Mayor Snyder called the meeting to order at 5:15 P.M (Councilor Thibodeau arrived during Proclamation 3).

**ANNOUNCEMENTS:**

**Announcement of the Barron Center achieving a five star rating from the Centers for Medicare & Medicaid Services, by Jon P. Jennings, City Manager**

**APPROVAL OF MINUTES OF PREVIOUS MEETING:**

**Approval of the draft Special City Council Minutes for August 23, 2021**

Motion was made by Councilor Chong and seconded by Councilor Ray for approval of the August 23, 2021 Special City Council meeting minutes. Passage 8-0 .

**PROCLAMATIONS:**

**Proclamation 3-21/22 Recognizing Nadine Pembele with the 2021 Spirit of America Foundation Tribute - Sponsored by Kate Snyder, Mayor**

**Proclamation 4-21/22 Recognizing September 2021 as African Heritage Month - Sponsored by Pious Ali, Councilor**

**CONSENT ITEMS:**

**Order 38-21/22 Approving Transfer of Funds under 15 M.R.S. § 5824 (3) and § 5826(6) Re: David Logugune - Sponsored by Jon P. Jennings, City Manager**

**Order 39-21/22 Extending the Outdoor Dining/Retail Festival from November 1, 2021 to April 15, 2022 - Sponsored by Jon P. Jennings, City Manager**

Motion was made by Councilor Ray and seconded by Councilor Chong for passage of the Consent Items. Passage 9-0.

**LICENSES:**

**Order 40-21/22 Granting Municipal Officers' Approval of Apple Nine Hospitality Management Inc, dba AC Hotel Portland Downtown/Waterfront. Application for a Class IA Inn at 158 Fore St. - Sponsored by Jon P. Jennings, City Manager**

Motion was made by Councilor Ray and seconded by Councilor Ali for passage. Passage 9-0.

**Order 41-21/22 Granting Municipal Officers' Approval of Apple Nine Hospitality Management Inc, dba Aloft Hotel Portland. Application for a Class IA Inn at 379 Commercial St. - Sponsored by Jon P. Jennings, City Manager**

Motion was made by Councilor Ray and seconded by Councilor Mavodones for passage. Passage 9-0.

**Order 42-21/22 Granting Municipal Officers' Approval of Yardie Ting LLC, dba Yardie Ting. Application for a Class III & IV FSE at 28 Monument Square - Sponsored by Jon P. Jennings, City Manager**

Motion was made by Councilor Ray and seconded by Councilor Mavodones for passage. Passage 9-0.

**Order 43-21/22 A City Councilor is requesting referral of Tangible Alchemy dba Urban Farm Fermentory's Combined Entertainment license at 200 Anderson St. - Sponsored by Jon P. Jennings, City Manager**

Motion was made by Mayor Snyder and seconded by Councilor Mavodones to amend Order 43 by adding " to refer Order 43 to the Sound and Oversight Committee". Passage 9-0.

Motion was made by Councilor Ray and seconded by Mayor Snyder for passage as amended. Passage 9-0.

**Written Public Comment**

**RESOLUTIONS:**

**Resolve 1-21/22 Requesting the Maine Department of Transportation Establish a**

**Rail Corridor Use Advisory Council for the Casco Bay Trail - Sponsored by the Sustainability & Transportation Committee, Councilor Belinda Ray, Chair**

Motion was made by Councilor Ray and seconded by Councilor Chong to amend Resolve 1 by using the same language” that the Sustainability & Transportation Committee recommended for passage as amended. Passage 9-0.

**Written Public Comment**

**6:00 P.M. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:**

**UNFINISHED BUSINESS:**

**Order 22-21/22 Amendment to Zoning Map Re: 99 Winter Street and 152-160 State Street from R-6 Residential to B-3 Downtown - Sponsored by Brandon Mazer, Chair, Portland Planning Board**

Motion was made by Councilor Thibodeau and seconded by Councilor Ray for passage. Passage 8-1 (Thibodeau).

**Order 23-21/22 Amending the Height Overlap Map at 99 Winter Street - Sponsored by Brandon Mazer, Chair, Portland Planning Board**

Motion was made by Councilor Fournier and seconded by Councilor Mavodones for passage. Passage 8-1 (Thibodeau).

**Order 35-21/22 Accepting and Appropriating \$480,850 in U.S. Environmental Protection Agency Brownfields Funds for the City's Brownfields Revolving Loan Fund - Sponsored by Jon P. Jennings, City Manager**

Motion was made by Councilor Thibodeau and seconded by Councilor Ray for passage. Passage 9-0.

**Written Public Comment**

**Order 36-21/22 Approving the Collective Bargaining Agreement with the Firefighters Local 740, International Association of Firefighters - Sponsored by Jon P. Jennings, City Manager**

Motion was made by Councilor Mavodones and seconded by Councilor Thibodeau for passage. Passage 9-0.

**Written Public Comment**

**Order 37-21/22 Designating the Marguerite Emerson House at 99 Capisic Street as a Landmark - Sponsored by Jon P. Jennings, City Manager**

Motion was made by Councilor Mavodones and seconded by Councilor Ali for passage. Passage 9-0.

**Written Public Comment**

**Order 259-20/21 Authorizing 6th Amendment to the Downtown Transit Oriented Development and Omnibus Tax Increment Financing District to Increase Funding to Creative Portland - Sponsored by the Housing and Economic Development Committee, Councilor Spencer Thibodeau, Chair**

Motion was made by Councilor Mavodones and seconded by Councilor Ali to postpone Order 259 to the October 4, 2021 City Council Meeting. Passage 9-0.

**ORDERS:**

**Order 44-21/22 Condemning the Property Rights of FEDEQ DV004, LLC et al. Pursuant to 30-A M.R.S. §§ 5401 et seq. (including § 5403(6)), 30-A M.R.S. § 3101, and 23 M.R.S.A. § 3023 - Sponsored by Kate Snyder, Mayor**

Councilor Mavodones disclosed that his son is an Attorney for Norman, Hanson Detroy and is not involved with this order.

Motion was made by Councilor Thibodeau and seconded by Councilor Ali for passage. Passage 9-0.

**Written Public Comment**

**Order 47-21/22 Accepting and Appropriating \$40,909.09 in Assistance to Firefighters Grant Funding from Federal Emergency Management Agency - Sponsored by Jon P. Jennings, City Manager**

This is its first reading.

**AMENDMENTS:**

**Order 45-21/22 Traffic Schedule Amendment Re: Closing Dana, Wharf and Part of Milk Street to Through Traffic - Sponsored by Jon P. Jennings, City Manager**

This is its first reading.

**Order 46-21/22 Amendment to Portland City Code Chapter 25 Re: Parklet Fee Reduction - Sponsored by Jon P. Jennings, City Manager**

This is its first reading.

Motion was made by Councilor Ray and seconded by Councilor Chong to adjourn. Passage 9-0 at 8:40 P.M.

A TRUE RECORD

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Katherine L. Jones, City Clerk

**Written Public Comment**





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**Webinar ID: 873 6507 2839**

**Passcode: 520885**

**International numbers available: <https://us02web.zoom.us/j/87365072839?pwd=Y0JjZlA4K25RT1cwWWQ2Q2g2Z0I4Zz09>**

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

Mayor Snyder called the meeting to order at 6:25 P.M. (Councilor Thibodeau and Councilor Ray arrived during Order 48).

**ORDERS:**

**Order 48-21/22 Order Declaring an Emergency - Sponsored by Kate Snyder, Mayor**

Motion was made by Mayor Snyder and seconded by Councilor Thiobdeau to postpone Order 48 to the September 20, 2021 City Council Meeting. Passage 8-1 (Zarro).

**Written Public Comment**

**6:00 P.M. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:**

Motion was made by Councilor Thibodeau and seconded by Councilor Ali to adjourn. Passage 9-0 at 8:32 P.M.

**A TRUE RECORD**

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Katherine L. Jones, City Clerk

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

**PROCLAMATION RECOGNIZING HISPANIC HERITAGE MONTH 2021**

- WHEREAS,** From September 15th to October 15th, America acknowledges the vital contributions of and celebrates our Hispanic/ Latino heritage, and
- WHEREAS,** Hispanic / Latinx Americans have written crucial chapters in our nation throughout our history, honorably defended our country in war and built prosperity during times of peace, and
- WHEREAS,** This community runs successful businesses, teaches our next generation of leaders, and pioneers scientific and technological breakthroughs, and
- WHEREAS,** Hispanic / Latinx Americans represent an array of distinct and vibrant cultures, each of which enriches our communities in valuable ways; and
- WHEREAS,** Hispanic / Latinx leaders like César E. Chávez have marched for social justice and helped advance America's journey toward a more perfect Union, and
- WHEREAS,** There are over 550 students of Latino/Hispanic origin in our City's public schools, colleges and adult education programs representing one of the fastest growing segments of our youth, and
- WHEREAS,** We are grateful for the many contributions Hispanic /Latino American men and women and organizations like Presente Maine add to our community and the vibrancy they weave into the city of Portland; and
- NOW, THEREFORE, BE IT RESOLVED,** that I, Kathleen Merchant Snyder, Mayor of the City of Portland, Maine and the members of the Portland City Council do hereby declare September 15th to October 15th Hispanic/Latino Heritage Month in the city of Portland Maine and invite citizens of Portland to reflect on ways we all can be inclusive, celebrate diversity, during this month and every month.

**Signed and sealed this 20th day of September, 2021**



**Kate Snyder, Mayor  
City of Portland**

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

**PROCLAMATION RECOGNIZING SEPTEMBER 20 TO SEPTEMBER 25, 2021  
AS CLEAN ENERGY WEEK**

**WHEREAS,** Maine enjoys abundant forms of renewable energy that powers homes and businesses across the State, and

**WHEREAS,** the generation of power from renewable sources, including forms such as hydroelectric, wood, wind, and solar, accounts for nearly four-fifths of the net electricity generation in Maine, and

**WHEREAS,** Maine leads New England in wind-powered generation and ranks sixth in the nation in the share of its electricity generated from wind, and

**WHEREAS,** the American Council for an Energy-Efficient Economy ranked Maine 16th in its 2020 State Energy Efficiency Scorecard, and

**WHEREAS,** Maine has established mandates to reduce greenhouse gas emissions 45 percent below 1990 levels by 2030 and 80 percent by 2050 and created the Maine Climate Council to provide recommendations to meet these targets, and

**WHEREAS,** the City of Portland has established a goal to utilize 100% clean energy by 2040, and

**WHEREAS,** the City of Portland has constructed a 1 mW solar array on Ocean Avenue, a 430 kW array at the Portland Jetport, and a 28 kW array at Riverside Golf Course and has agreements to purchase 23,000 mWhs of electricity annually from renewable energy developers in Maine, and

**WHEREAS,** National Clean Energy Week provides an opportunity for individuals, local governments, corporations, and other organizations in Maine to champion common sense solutions that address the United States' evolving economic and energy needs,

**NOW, THEREFORE, BE IT RESOLVED, THAT I,** Kathleen Merchant Snyder, Mayor of the City of Portland, Maine and the members of the Portland City Council do hereby declare September 20 to September 25, 2021 as Clean Energy Week in the city of Portland, Maine and invite the citizens of Portland recognize this observance

**Signed and sealed this 20<sup>th</sup> day of September, 2021**



**Kate. Snyder, Mayor  
City of Portland**

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

**PROCLAMATION RECOGNIZING SEPTEMBER 27 TO OCTOBER 3, 2021  
AS DIAPER NEED AWARENESS WEEK**

**WHEREAS,** diaper need is the condition of not having a sufficient supply of clean diapers to keep babies and toddlers clean, dry, and healthy and can adversely affect the health and well-being of babies, toddlers, and their families, and

**WHEREAS,** national surveys and research studies report that one in three families struggles with diaper need, and 48 percent of families delay changing a diaper to extend the available supply, and

**WHEREAS,** infants and toddlers go through six to twelve diapers each day during the two to three years they wear diapers, and

**WHEREAS,** purchasing enough diapers to keep a baby or toddler clean, dry, and healthy can consume 14 percent of a low-wage family's net income, and

**WHEREAS,** diaper banks across the country saw enormous increases in demand for diapers and expanded their distribution of diapers by an average of 86 percent during the COVID-19 Pandemic, and

**WHEREAS,** a daily or weekly supply of diapers is generally an eligibility requirement for babies and toddlers to participate in child care programs and quality early-education programs that enable children to thrive and parents to work, and

**WHEREAS,** without enough diapers, babies and toddlers risk infections and health problems that may require medical attention, resulting in medical costs, destabilizing the family's economic prospects and well-being; and

**WHEREAS,** Portland is proud to be home to trusted community-based organizations that distribute diapers through various channels, including Michael Klahr Jewish Family Services that recognize the importance of diapers in ensuring health and providing economic stability for families, and

**WHEREAS,** the staff and volunteers at diaper banks continue to serve on the front lines of Portland's pandemic response by helping families in our communities weather the crisis while experiencing greatly increased demand for diapers due to the pandemic and economic shutdown, and

**WHEREAS,** the people of Portland recognize that diaper need is a public health issue, and that now that our state on the road to pandemic recovery, diaper banks will continue to play a critical role in supporting families and advancing our collective economic growth

**NOW, THEREFORE, BE IT RESOLVED, THAT I,** Kathleen Merchant Snyder, Mayor of the City of Portland, Maine and the members of the Portland City Council do hereby declare September 27 to October 3, 2021 as Diaper Need Awareness Week in the city of Portland, Maine and invite citizens of Portland to thank the dedicated volunteers and staff of diaper banks for their meaningful service during this crisis, and to spread awareness of this important issue so that all of Portland's children and families can thrive and reach their full potential.

**Signed and sealed this 20<sup>th</sup> day of September, 2021**



**Kate Snyder, Mayor  
City of Portland**

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

**PROCLAMATION RECOGNIZING SEPTEMBER 30, 2021 AS THE  
NATIONAL DAY OF REMEMBRANCE FOR U.S. INDIAN BOARDING SCHOOLS**

**WHEREAS,** the City of Portland stands in solidarity with Maine tribal, regional, state and national governments to recognize the traumatic and harmful history of Indian Boarding Schools and

**WHEREAS,** in early summer 2021, 215 unmarked graves were discovered by Canada's Tk'emlups te Secwepemc First Nation at the Kamloops Indian Residential School in British Columbia, remains of 751 people, primarily Indigenous children were found at the Marieval Indian Residential School 87 miles from Regina in the province of Saskatchewan, and 182 unmarked graves were found close to a former Indian boarding school near Cranbrook, British Columbia, and

**WHEREAS,** the United States enacted laws and implemented policies establishing and supporting Indian boarding schools across the nation, beginning with the Indian Civilization Act of 1819 and continuing over a century through the 1960s, and

**WHEREAS,** as a result of those laws, 367 Native boarding schools were established and run by religious organizations or the U.S. government throughout the nation and the Pacific Northwest, including the Tulalip Boarding School and Cushman School (later Cushman hospital), and the oldest being Chemawa Indian School in Oregon, with over 70 native boarding schools still operating today, and

**WHEREAS,** as stated by United States Interior Secretary Deb Haaland, the purpose of these laws and policies were "*to culturally assimilate Indigenous children by forcibly relocating them from their families and communities to distant residential facilities where their American Indian, Alaska Native and Native Hawaiian identities, languages and beliefs were to be forcibly suppressed*", and

**WHEREAS,** the National Native American Boarding School Healing Coalition estimates that by 1926 nearly 83% of Native American children were forcibly removed from their homes, families and communities and placed in boarding schools nationwide, and

**WHEREAS,** in the early 1970's one out of every 3 Native children in Maine were in the state foster care system and Maine had the second highest rate of removal in the nation, and

**WHEREAS,** according to the Maine Wabanaki-State Child Welfare Truth and Reconciliation Commission report findings, Wabanaki children in Maine have on average entered foster care at over five times the rate of non-native children in the past 13 years, and

**WHEREAS,** on June 22, 2021, United States Interior Secretary Deb Haaland announced that the United States federal government would search federal boarding schools for possible burial sites of Native American children, stating in her June 22 memo, *“Indigenous parents could not visit their children at these schools. Many students endured routine injury and abuse. Some perished and were interred in unmarked graves... Survivors of the traumas of boarding school policies carried their memories into adulthood as they became aunts and uncles, parents and grandparents to subsequent generations”*, leaving a need in their families for answers that in many cases were never provided, and

**WHEREAS,** as stated by Aaron Payment, Chair of the Sault Ste. Marie Tribe of Chippewa Indians and 1st Vice-President of National Congress of American Indians, *“Each of these experiences of genocide at the hands of the American government over the generations explains what is called historical and intergenerational trauma. This explains in large part why tribal governments are sometimes openly hostile towards their own people. It also explains why American Indians have the worst of the worst statistical outcomes on every dimension. This includes the lowest high school graduation rate, the highest rates of suicide, the highest rates of drug and alcohol addiction, the highest rates of unemployment”*, and

**WHEREAS,** the Maine Wabanaki-State Child Welfare Truth and Reconciliation Commission findings recognize the historical and ongoing cultural genocide of the Wabanaki people as a result of removal, displacement, and failure to recognize the sovereignty of the Maine tribal nations and the rights of their children, and

**WHEREAS,** in her announcement before the National Congress of American Indians, Secretary Haaland said the program would *“shed light on the unspoken traumas of the past, no matter how hard it will be...But only by acknowledging the past can we work toward a future we are proud to embrace”*,

**NOW, THEREFORE, BE IT RESOLVED,** that I, Kathleen Merchant Snyder, Mayor of the City of Portland, and members of the City Council do hereby recognize September 30, 2021 as a Day of Remembrance for U.S. Indian Boarding Schools.

**Signed and sealed this 20th day of September, 2021**



**Kate Snyder, Mayor**

**City of Portland**

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:** Mary Davis, Division Director  
**DATE:** August 31, 2021  
**SUBJECT:** Order 49-21/22 Accepting the Donation of the former Casco Bay Creamery Shack from Doug Hassan - Sponsored by Jon P. Jennings, City Manager  
**SPONSOR:** Jon P. Jennings, City Manager  
(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

**COUNCIL MEETING DATE ACTION IS REQUESTED:**  
**1st Reading 9/20/2021** **Final Action 9/20/2021**

**Can action be taken at a later date: Yes (If no why not?)**

**PRESENTATION:** Mary Davis will be available for questions.

**I. SUMMARY**

Doug Hassan, d/b/a Casco Bay Creamery (CBC), applied to the City with an offer to donate the former ice cream shack that CBC placed on leased land from the City near the Portland Ocean Terminal, which lease terminated October 31, 2019.

**II. AGENDA DESCRIPTION**

Doug Hassan, d/b/a Casco Bay Creamery (CBC), leased land from the City near the Portland Ocean Terminal for three years, and his lease terminated October 31, 2019. Doug Hassan has made an application to donate his moveable ice cream shack, excluding its contents and the CBC sign, to the City.

This donation could be used for a number of purposes to benefit the public, including leasing to an organization or business. The shack is approximately an 8-foot octagon (see attached picture) and is set on posts, so it can be easily moved.

Five affirmative votes are required for passage of consent items after public comment.

**III. BACKGROUND**

The City executed a Land Lease Agreement with Doug Hasson, d/b/a Casco Bay Creamery (CBC), on October 15, 2016, with a termination date of October 31, 2019, which enabled CBC to operate an ice cream shack on City property “adjacent to the Eastern Promenade Trail and proximate to the Ocean Gateway and Portland Ocean Terminal”. Attached is a GIS map showing the approximate location in the Eastern Waterfront Port Zone.

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

The intended result is to accept the donation from Doug Hassan in order for the former ice cream shack to be available for City use and/or leasing to various entities.

**V. FINANCIAL IMPACT**

There is no financial impact to the City in accepting this donation.

**VI. STAFF ANALYSIS AND BACKGROUND**

Staff recommends accepting this donation for future City use and/or to lease to other entities.

**VII. RECOMMENDATION**



Staff recommends accepting this donation for future City use and/or to lease to other entities.

#### **VIII. LIST ATTACHMENTS**

1. Order Accepting Donation of former Casco Bay Creamery Shack 9.20.2021
2. GIS Map of Approx Location in EWPZ Highlighted
3. Pic of Bldg Request to Donate to City - KAlves
4. App to Donate of 6-16-2021

Prepared by:

Mary Davis, Division Director

Date: 08/31/2021

KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW ZARRO (4)

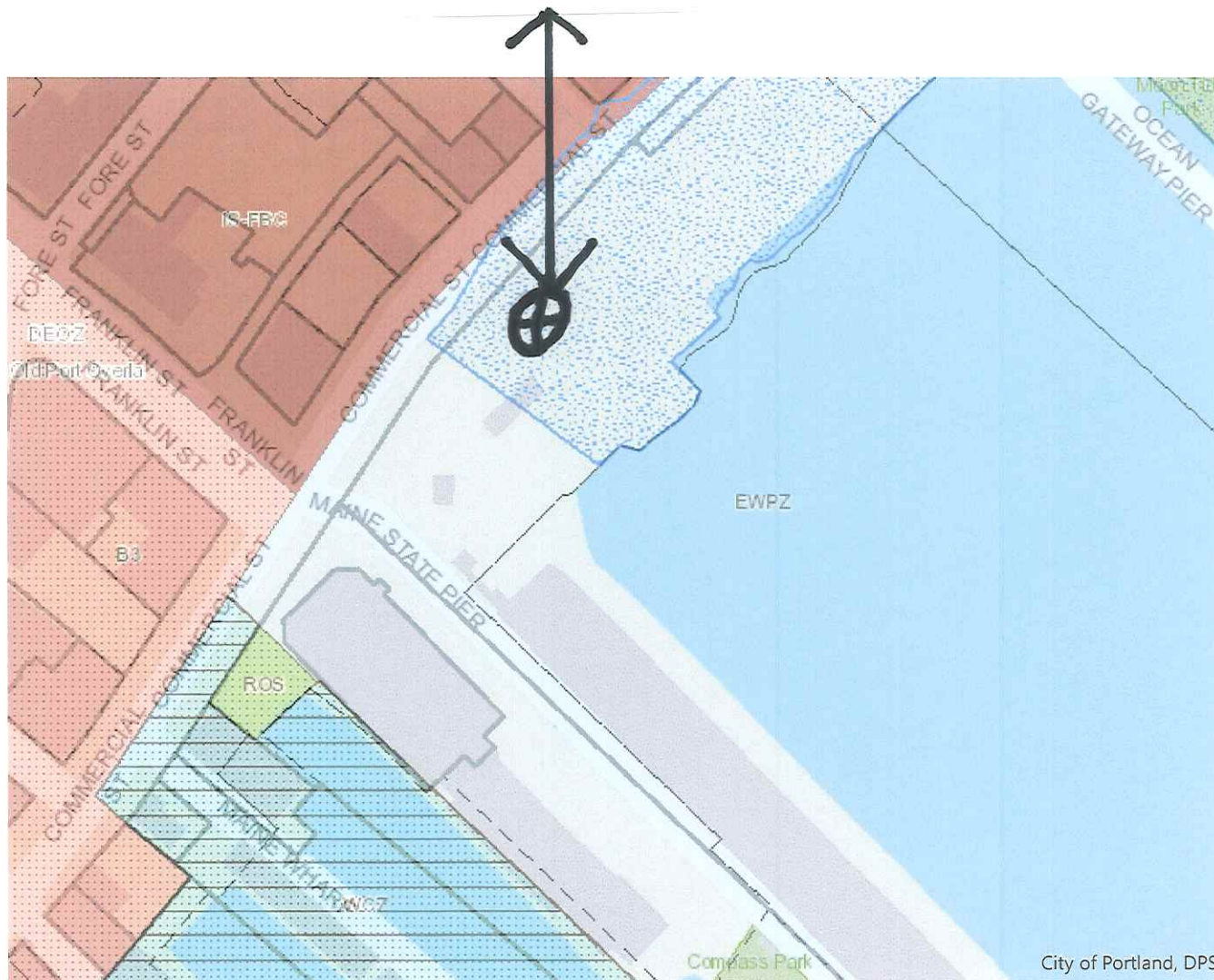
**CITY OF PORTLAND**  
**IN THE CITY COUNCIL**

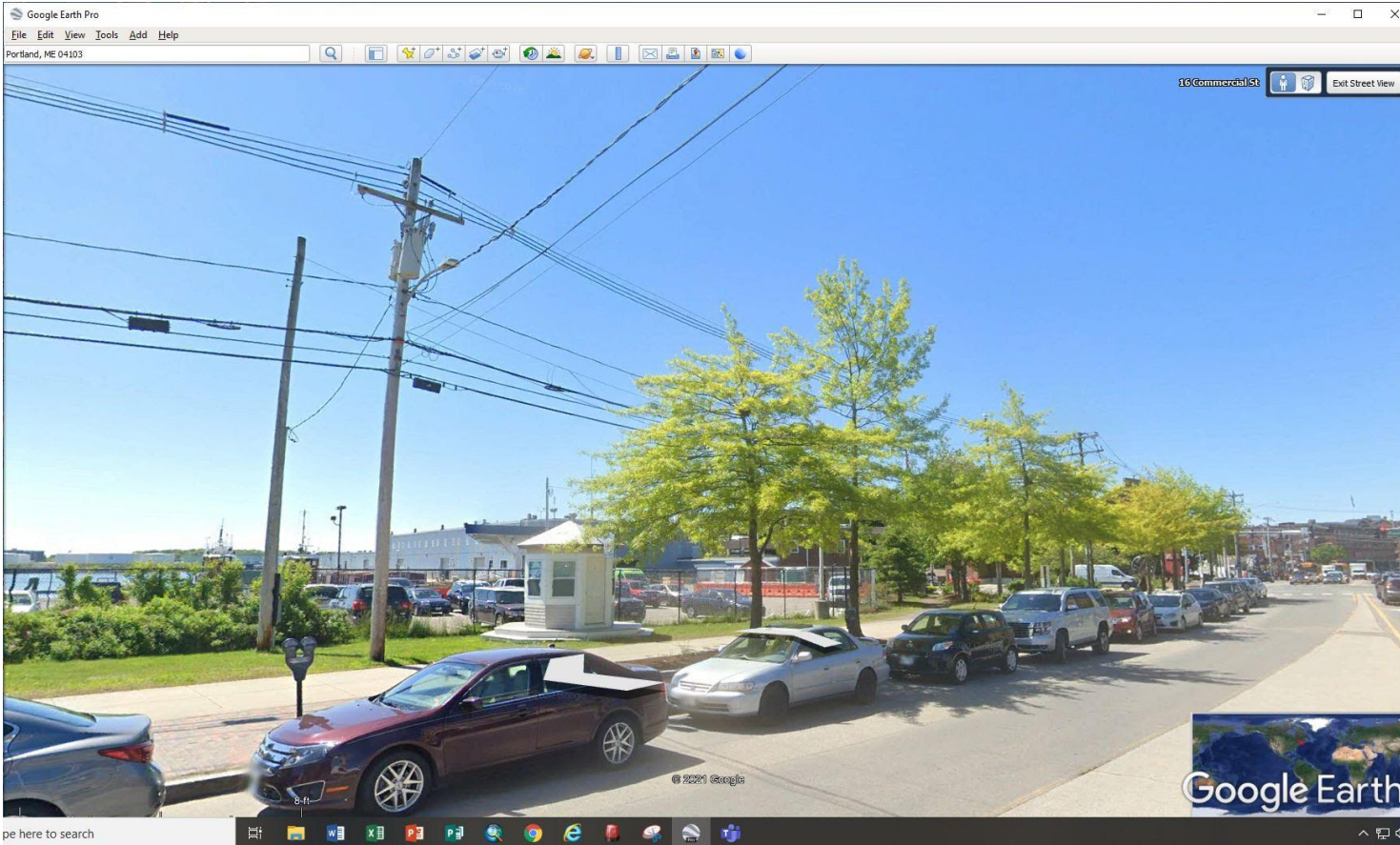
MARK DION (5)  
APRIL D. FOURNIER(A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER ACCEPTING THE DONATION OF THE  
FORMER CASCO BAY CREAMERY SHACK FROM DOUG HASSON**

**ORDERED**, that the donation of the former Casco Bay Creamery shack from Doug Hassan is hereby accepted.

APPROXIMATE LOCATION OF  
CASCO BAY CREAMERY  
ICE CREAM SHACK





**City of Portland**  
**Application for Donation of Property to the City**

Please complete this form and email it back to [ljn@portlandmaine.gov](mailto:ljn@portlandmaine.gov)

If you have any questions regarding this form, please contact the Housing and Economic Development Dept. at (207) 874-8683, or via email at [ljn@portlandmaine.gov](mailto:ljn@portlandmaine.gov)

**I. Property Details for donation to the City:**

Chart, Block & Lot Number(s): \_\_\_\_\_  
(From Assessor's Maps)  
(Phone number for City Tax Assessor's Office (207) 874-8486)

Property Address: \_\_\_\_\_

Land Assessed Value: \_\_\_\_\_

Building Assessed Value: \_\_\_\_\_

Total Assessed Value: \_\_\_\_\_

Yearly Taxes to City: \_\_\_\_\_

No. of Years you have owned this property: \_\_\_\_\_

If other than land, please describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**II. Applicant Information**

Name Douglas Haddon Email DOUGLASHADDON@SWEST.NET

Address 95 RIDGEVIEW CROSSING, NEWINGTON CT 06111

Years at current address 20+

Phone 860-930-1990

Are you or have you ever been employed by the City of Portland? No.

If yes, Indicate dates employed and position: Date: \_\_\_\_\_

Position \_\_\_\_\_ Dept. \_\_\_\_\_

Please list any relatives employed by the City of Portland  
\_\_\_\_\_  
\_\_\_\_\_



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### V. Contingencies

If there are any contingencies as part of the proposed donation, please indicate below

I WOULD LIKE THE "ASLO DAY CREMERY"  
SIGN @ ALL CONTINGENTS.

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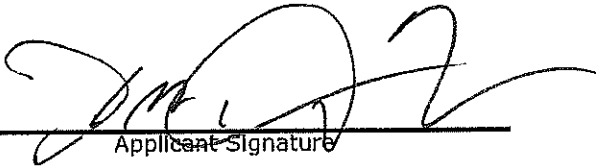
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### VI. Applicant's Acknowledgement

The applicant acknowledges that this is an application for the purpose of donating property and only represents an expression of that interest. The applicant further acknowledges that all donations of property may require final approval by the Finance Director, City Manager, Housing and Economic Development Committee or Land Bank, and the City Council. This document is merely an expression of interest on the part of the applicant.

The Donor may be required to sign a Donation Agreement.

  
Applicant Signature

6-15-21

Date

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** September 7, 2021

**SUBJECT:** Order 50-21/22 Granting Municipal Officers' Approval of A&P Pop Ups LLC, dba Jack's Twisted Mansion. Application for a Class 1 FSE with Indoor Entertainment at 156 State St. - Sponsored by Jon P. Jennings, City Manager

**SPONSOR:**

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading**

**Final Action**

**Can action be taken at a later date: No (If no why not?)**

**PRESENTATION:** (List the presenter(s), type and length of presentation)

**I. SUMMARY**

**II. AGENDA DESCRIPTION**

Application was filed on 7/27/21. New City and State applications. Location was previously Black Tie Catering. A Class A Restaurant (Class I) is a permitted use in the B-3 zone. The City Council approved a Zoning Map Amendment to change the zone of this property from R-6 to B-3 on September 8, 2021.

Five affirmative votes are required for passage after public comment.

**III. BACKGROUND**

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

**V. FINANCIAL IMPACT**

**VI. STAFF ANALYSIS AND BACKGROUND**

Staff Analysis and Background that will not appear in the Agenda Description.

**VII. RECOMMENDATION**

**VIII. LIST ATTACHMENTS**

1. Jacks Twisted Mansion
2. 20210914131235288

Prepared by:

Date: 09/07/2021



KATHLEEN M SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW J. ZARRO (4)

**CITY OF  
PORTLAND**  
IN THE CITY COUNCIL

MARK N. DION (5)  
APRIL FOURNIER (A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER  
GRANTING MUNICIPAL OFFICERS'  
APPROVAL OF:**

**A&P Pop Ups LLC, dba Jack's Twisted Mansion. Application for a Class 1 FSE with  
Indoor Entertainment at 156 State St**

JACK'S TWISTED MANSION

# LETTER OF INTENT

July 26, 2021

Paul Lewis - A&P POP UP LLC  
DBA Jack's Twisted Mansion  
156 State Street,  
Portland ME 04101

To the Mayor and Portland City Council members,

We are writing to you today to introduce our exciting new business we want to bring to your beautiful city and requesting the Council members allow us the use of the Portland Club on State street for the purpose of a theatrical pop up dining experience. My name is Paul Lewis and I'm a local resident and entrepreneur here in Portland Maine area and I have teamed up with management from a previous pop up success last year to make a great team in this new themed dinner theater right here in Portland.

Our business in opening one year theatrical pop up dining events all though Maine year after year has proven a perfect fit to bring life back to an empty space in need of a little "TLC." We are proud of the fact that we can support the local community arts performers as well as bringing new engaging excitement to our guests in the form of a "dinner theater!" Last years pop up was located in Freeport, Maine and was sold out completely for the entire year before we even opened our business doors with stellar marketing tactics. The previous pop up brought over 36,500 guests into the city of Freeport of which over 50% of our guests we had found to be from out of town and/or state and most made a weekend trip out of it. This year we have found and secured a lease to a great location in Portland Maine located at 156 State Street Portland known more commonly as the Portland Club. We are currently pre selling tickets and on target to sell out before open once again with already 25% sales within the first two weeks the tickets went live.

A brief run down of events at Jack's Twisted Mansion giving you three varieties of shows to choose while enjoying your dinner or our Sunday brunch.

1) Jack Twisted Mansion

A theatrical dinner experience that will have everyone on the edge of their seats!

When Jack was a boy, he always dreamed of becoming a clown. His parents, owners of a luxurious mansion in Portland, Maine, well-known for hosting the best dinner parties, begged and pleaded with Jack to take over the family's dinner party tradition. Instead, Jack ran away and joined a circus. This was not just any old circus, Jack joined a troupe of bloodthirsty clowns; although all very talented, they really don't play nice with others. Years later, after the "mysterious disappearance" of Jack's parents, Jack inherited the mansion, and he decided to bring all his new circus friends home to live with him and take over the family's famous dinner party tradition. Except that, now, Jack does it his way. Whatever did happen to Jack's parents? To find out, you will have to meet Jack at his dinner table. Will you be Jack's dinner guest at his new mansion?

2) Family Circus Fun

Too scary? Not so fast, not everyone at the circus is scary! When Jack is away, the clowns will play. We have many happy clowns and talented performers who will come out on Family-Fun

Day every Sunday afternoon. Family-Fun Day is for all ages and offers a not-so-scary dining experience for anyone looking for a more upbeat and entertaining experience.

Either Join Jack for a terrifying thriller dinner experience every Thursday – Saturday (All guests MUST be 16 years or older and sign a waiver before joining Jack at his dinner table); or join Jack's playful friends every Sunday afternoon for fun time at the circus \$18 per person will lock down your reservation seat at Jacks mansion. This does not include your food, drinks, or gratuity. Jack loves hosting these dinner parties so much that everyone leaves with a special gift from Jack.

### 3) Celebrity Drag Brunch Experience

Extra Fun If You Want It! Join us for our Celebrity Drag Brunch every Sunday morning and meet the great and other very well known celebrity icons like Bette Midler, the famous Lady gaga, Marilyn Monroe and much more. The big question is, are they drag or really the celebrities themselves? Paparazzi, eat your heart out!

### Hours of Operation

Thursday - 5:45 pm & 8:00 pm (16 + & Older)

Friday - 5:45 pm & 8:00 pm (16 + & Older)

Saturday - 12:00 pm, 2:45 pm, 5:45 pm & 8:00 pm (16 + & Older)

Sunday - 10:00 am & 1:00 pm (16 + & Older)

2:45 pm & 5:00 pm (Family Friendly All Ages)

This years pop up is strictly abiding by all CDC regulations regarding the coronavirus and take it very seriously all guest will be spread out 6ft apart by the old cdc policy's taking still that extra caution.

We kindly thank you for your consideration,

Paul Lewis - A&P POP UP LLC  
DBA Jack's Twisted Mansion



CITY OF PORTLAND

Permitting and Inspections Department

Application for Food Service Establishment with Alcoholic Beverages License

|                                             |                                                       |
|---------------------------------------------|-------------------------------------------------------|
| Business Information                        |                                                       |
| Business Name (d/b/a):                      | Jack's Twisted Mansion<br>A&P POP UPS LLC             |
| Location Address:                           | 156 State St Portland, ME Zip: 04101                  |
| If new, what was formerly at this location: |                                                       |
| Mailing Address:                            |                                                       |
| Contact Person:                             | Paul Lewis Phone: 603-866-3090                        |
| Contact Person Email:                       | P13526@Gmail.com                                      |
| Manager of Establishment:                   | Paul Lewis Date of Birth: 4/18/87 Phone: 603-866-3090 |
| Owner of Premises (Landlord):               | The Portland Club                                     |
| Address of Premises Owner:                  | 156 State St Portland, ME Zip: 04101                  |

Sole Proprietor/Partnership Information (If Corporation, leave blank)

| Name of Owner(s) | Date of Birth | Residence Address |
|------------------|---------------|-------------------|
|                  |               |                   |
|                  |               |                   |

Corporate/LLC/Non-Profit Organization Applicants (If Sole Proprietor or Partnership, leave blank)

|                          |            |                                                 |                   |
|--------------------------|------------|-------------------------------------------------|-------------------|
| Corporate Name           |            | Corporate Mailing Address                       |                   |
| A&P POP UPS LLC          |            | 4101 Cumberland Ave Apt 1608 Portland, ME 04101 |                   |
| Contact Person:          | Paul Lewis | Phone:                                          |                   |
| Principal Officers       | Title      | Date of Birth                                   | Residence Address |
| Paul Lewis               |            | 4-18-87                                         |                   |
|                          |            |                                                 |                   |
|                          |            |                                                 |                   |
|                          |            |                                                 |                   |
| Class of Liquor License: |            | Class 1                                         |                   |



**CITY OF PORTLAND**  
**Permitting and Inspections Department**

|                                                                                                                                     |                                       |                                    |
|-------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|------------------------------------|
| Type of food served:                                                                                                                |                                       |                                    |
| Please circle all that will be served:                                                                                              | <u>Beer</u> <u>Wine</u> <u>Liquor</u> |                                    |
| Projected percentage of sales:                                                                                                      | Generated from Food: <u>100%</u>      | Generated from Alcohol: <u>40%</u> |
| Hours & days of operation:                                                                                                          | <u>Thurs - Sun 10A-12A</u>            |                                    |
| <b>QUESTIONS</b>                                                                                                                    |                                       |                                    |
| Will full-course meals, only capable of consumption with the use of tableware, be served the entire time the establishment is open? |                                       | Y/N<br><u>Y</u>                    |
| If No, please explain:                                                                                                              |                                       |                                    |
| Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?                 |                                       | <u>Y</u> /N                        |
| If yes, give the distance:                                                                                                          |                                       | <u>170</u>                         |
| Will you have entertainment on the premises? (If yes, a Supplemental Application for Entertainment is required.)                    |                                       | <u>Y</u> /N                        |
| Will you permit dancing after 1:00 a.m.?                                                                                            |                                       | <u>Y</u> /N                        |
| Will you have outside dining? (If yes, an Outdoor Dining Application is required)                                                   |                                       | <u>Y</u> /N                        |
| If yes, will the outside dining be on PUBLIC or PRIVATE property (circle one).                                                      |                                       |                                    |
| Will you have any amusement devices (pinball, video games, juke box)?                                                               |                                       | <u>Y</u> /N                        |
| If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____                                    |                                       |                                    |
| What is your targeted opening date?                                                                                                 |                                       | <u>Aug. 19th 2021</u>              |
| Does the issuance of this license directly or indirectly benefit any City employee(s)?                                              |                                       | <u>Y</u> /N                        |
| If Yes, list name(s) of employee(s) and department(s):                                                                              |                                       |                                    |
| Have any of the applicants, including the corporation (if applicable), ever held a business license with the City of Portland?      |                                       | <u>Y</u> /N                        |
| If Yes, please list business name(s) and location(s):                                                                               |                                       |                                    |
| Is any principal officer under the age of 21?                                                                                       |                                       | <u>Y</u> /N                        |
| Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?    |                                       | <u>Y</u> /N                        |
| If Yes, please explain:                                                                                                             |                                       |                                    |

X Paul Lewis do hereby swear and affirm that every employee in my establishment that serves alcohol to the public has attended server training, or will attend server training within 90 days of their hire. I also understand that at any time the City license administrator can, upon request, require me to produce Server Training certificates for each employee that serves alcohol to the public in my establishment. Failure to meet the training requirement imposed by section 15-41 may result in the denial of a liquor license pursuant to 28-A M.R.S.A. § 653 (2) (G).

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above licensee and further agrees that any misstatement of material fact may result in refusal of license or revocation if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto. I/We, hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We, hereby waive any rights to privacy with respect thereto.

Signature X Paul Lewis Title OWNER Date 7/7/21



CITY OF PORTLAND  
Permitting and Inspections Department

Application for an Entertainment License

☒ Indoor Entertainment \$500.00      ☐ Outdoor Entertainment \$700.00      ☐ Combined Entertainment \$800.00

| Business Information                          |                                 |
|-----------------------------------------------|---------------------------------|
| Business Name (d/b/a):                        | JACK'S TWISTED MANSION          |
| Location Address:                             | 156 State St. Portland ME 04101 |
| Owner Name:                                   | X Paul Lewis                    |
| Owner Email:                                  | P13526@Gmail.com                |
| Contact Person responsible for Entertainment: | Paul Lewis                      |
| Contact Person Email:                         | P13526@Gmail.com                |
| Manager of Establishment:                     | Paul Lewis                      |
| Manager Email:                                | P13526@Gmail.com                |

About Your Establishment

Describe in detail the type and nature of the business and proposed entertainment:

DINNER THEATRE - FULL SERVICE RESTAURANT WITH FLOW ARTISTS,  
LOCAL PERFORMING ARTISTS; ALL PERFORMING LIVE FOR EACH SHOWING.  
-Stage Provided (FLOOR LEVEL)

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above license and further agrees that any misstatement of material fact may result in refusal of license or revocation, if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

Signature X Paul PLS Title owner Date 7/7/21

For more information, refer to the City Code of Ordinance: Chapter 4 Amusements, at [www.portlandmaine.gov](http://www.portlandmaine.gov)

## Noise control proposal for:

### JACKS TWISTED MANSION

156 State Street  
Portland, ME 04101

Prepared by:

**Stephan Jordan**

Audio Engineer and Live Sound Technician

207-994-9414

[InnSoundBookings@gmail.com](mailto:InnSoundBookings@gmail.com)

After visiting the venue site, and utilizing sound equipment to discern the best approach to controlling sound and decibel limits, we have come up with discernable measures to be put into effect when the venue chooses to utilize amplified stereo equipment, and to stay within the enforced parameters as set forth by the city of Portland and defined as:

“Maximum permissible sound levels: The maximum permissible sound level of any continuous, regular or frequent source of sound produced by an activity shall be as follows: a. **Sixty (60) dBA** between the hours of 7:00a.m. and 10:00 p.m. b. **Fifty (50) dBA** between the hours of 10:00p.m. and 7:00 a.m., as measured at or within the boundaries of any residential zone.”

1. Jack’s Twisted Mansion staff and any hired performers will be informed of and have available the regulations set forth by the city of Portland in regards to permissible sound levels.

2. Regular weighted db measurements will be taken at property boundaries via a professional meter kept on the premises during all musical performances.
3. A wireless mixing console with full volume and tonal control will be installed and used during music performances. This console will allow immediate adjustments of audio levels from the property line to assure compliance.
4. All performers will be made well aware of the noise ordinance and sign a waiver demanding their participation in these efforts to maintain respectable and legal levels of noise.
5. The placement of all speakers used in amplified performances will be placed at the same location every time, facing away from the street to help dampen sound. Jack's Twisted Mansion will retain the location of amplified speakers for every show thereafter to ensure sound remains consistent. Proper positioning will allow for noise abatement and sound dampening.
6. Jack's Twisted Mansion staff will document measurements with professional decibel readers throughout the entirety of the event and work with local authorities to assure that these parameters are respected and a mutual goal of continued compliance and neighborly continuity is maintained.



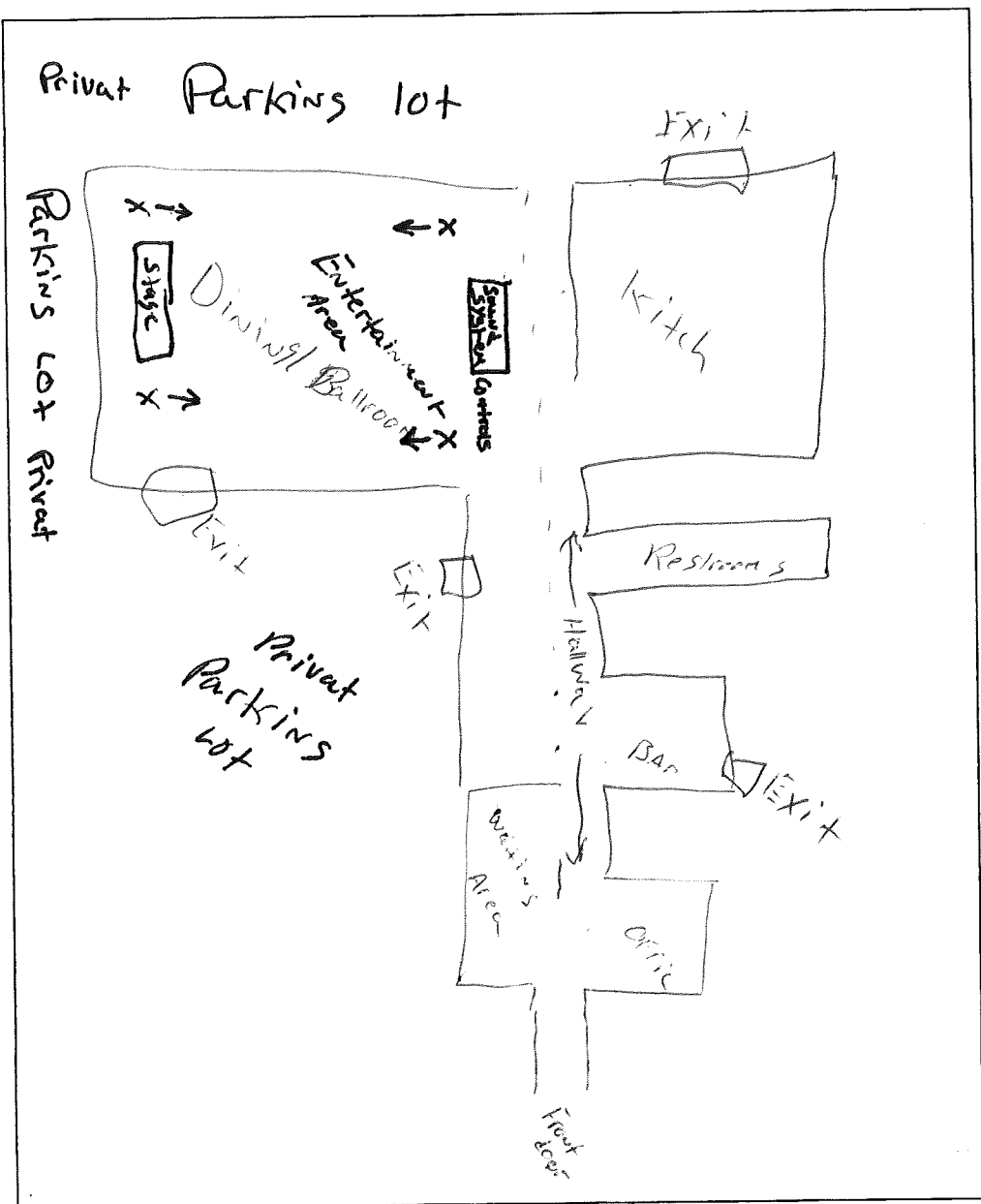
N

# ON PREMISE DIAGRAM (Facility Drawing/ Floor Plan)

In an effort to clearly define your license premise and the area that consumption and storage of liquor is allowed. The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas with the following: • Entrances • Office area • Kitchen • Storage Areas • Dining Rooms • Lounges • Function Rooms • Restrooms • Decks • All Inside and Outside areas that you are requesting approval.

X = Speaker  
→ = Sound direction



Street

BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS  
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT  
8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008 (Regular Mail)  
10 WATER STREET, HALLOWELL, ME 04347 (Overnight Mail)  
TEL: (207) 624-7220 FAX: (207) 287-3434  
EMAIL INQUIRIES: [MAINELIQUOR@MAINE.GOV](mailto:MAINELIQUOR@MAINE.GOV)

| DIVISION USE ONLY                                                        |     |
|--------------------------------------------------------------------------|-----|
| License No:                                                              |     |
| Class:                                                                   | By: |
| Deposit Date:                                                            |     |
| Amt. Deposited:                                                          |     |
| Cash Ck Mo:                                                              |     |
| Good SOS & DBA: YES <input type="checkbox"/> NO <input type="checkbox"/> |     |

PRESENT LICENSE EXPIRES: N/A

NEW application: ☒ Yes ☐ No

If business is NEW or under new ownership, indicate starting date: AUG. 19th 2021

Requested inspection (New Licensees/ Ownership Changes Only) Date: ASAP Business hours: Thurs-Sun. 10A-12A

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ VINOUS ☒ SPIRITUOUS

INDICATE TYPE OF LICENSE:

- ☒ RESTAURANT (Class I,II,III,IV) ☐ RESTAURANT/LOUNGE (Class XI) ☐ CLASS A LOUNGE (Class X)  
☐ HOTEL (Class I,II,III,IV) ☐ HOTEL, FOOD OPTIONAL (Class I-A) ☐ BED & BREAKFAST (Class V)  
☐ GOLF COURSE (Class I,II,III,IV) ☐ TAVERN (Class IV) ☐ QUALIFIED CATERING  
☐ OTHER: \_\_\_\_\_ ☐ SELF-SPONSORED EVENTS

(QUALIFIED CATERERS ONLY)

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

|                                                 |           |              |                                                               |           |              |
|-------------------------------------------------|-----------|--------------|---------------------------------------------------------------|-----------|--------------|
| Corporation Name:<br><u>A&amp;P POP UPS LLC</u> |           |              | Business Name (D/B/A)<br><u>JACK'S TWISTED MANSION</u>        |           |              |
| APPLICANT(S) - (Sole Proprietor)                |           |              | DOB:                                                          |           |              |
| DOB:                                            |           |              | Physical Location:<br><u>156 STATE ST. PORTLAND, ME 04101</u> |           |              |
| Address                                         |           |              | Mailing Address                                               |           |              |
| <u>401 Cumberland Ave APT 1608</u>              |           |              | <u>401 Cumberland Ave APT 1608</u>                            |           |              |
| City/Town                                       | State     | Zip Code     | City/Town                                                     | State     | Zip Code     |
| <u>Portland</u>                                 | <u>ME</u> | <u>04101</u> | <u>Portland</u>                                               | <u>ME</u> | <u>04101</u> |
| Telephone Number                                |           |              | Business Telephone Number                                     |           |              |
| <u>603-866-3090</u>                             |           |              |                                                               |           |              |
| Fax Number                                      |           |              | Fax Number                                                    |           |              |
|                                                 |           |              |                                                               |           |              |
| Federal I.D. #                                  |           |              | Seller Certificate #:<br>or Sales Tax #:                      |           |              |
| <u>86-2934087</u>                               |           |              |                                                               |           |              |
| Email Address:                                  |           |              | Website:                                                      |           |              |
| <u>P13526@Gmail.com</u>                         |           |              |                                                               |           |              |

1. If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: N/A

2. State amount of gross income from period of last license:

ROOMS \$ N/A FOOD \$ N/A LIQUOR \$ N/A

3. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐

If Yes, please complete the Corporate Information required for Business Entities who are licensees

4. Do you permit dancing or entertainment on the licensed premises? YES ☒ NO ☐

5. Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No (Use an additional sheet(s) if necessary.) If yes, please list License Number, Name, and physical location of any other Maine Liquor Licenses.

N/A  
License # \_\_\_\_\_ Name of Business \_\_\_\_\_

Physical Location \_\_\_\_\_ City/Town MARCUS VERRILL

6. If manager is to be employed, give name: \_\_\_\_\_  
7. Business records are located at: 156 State St - Portland ME 04101

8. Is/are applicants(s) citizens of the United States? YES ☒ NO ☐

9. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐

10. List name, date of birth, and place of birth for all applicants, managers, and bar managers.

| Full Name (Please Print)                                                                      | DOB                  | Place of Birth |
|-----------------------------------------------------------------------------------------------|----------------------|----------------|
| Paul Lewis                                                                                    | 4/18/87              | Boston, MA     |
| MARCUS LEE VERRILL                                                                            | 06/19/1976           | Portland, ME   |
| 11. Residence address on all of the above for previous 5 years (Limit answer to city & state) |                      |                |
| Name: Paul Lewis                                                                              | City: Portland       | State: ME      |
| Name: _____                                                                                   | City: _____          | State: _____   |
| Name: MARCUS LEE VERRILL                                                                      | City: NEW GLAUCESTER | State: MAINE   |

12. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☐ NO ☒

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_ (use additional sheet(s) if necessary)

13. Will any law enforcement official benefit directly in your license, if issued?

Yes ☐ No ☒ If Yes, give name: \_\_\_\_\_

14. Has/have applicant(s) formerly held a Maine liquor license? YES ☐ NO ☒

15. Does/do applicant(s) own the premises? Yes ☐ No ☒ If No give name and address of owner: \_\_\_\_\_

The Portland Club, 156 State St, Portland, ME

16. Describe in detail the premises to be licensed: (On Premise Diagram Required) DINNER THEATRE  
Featuring Full Bar, Full Service Food and Live Entertainers (Dancers, Flows, Artists)

17. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?

YES ☒ NO ☐ Applied for: HEALTH, LIQUOR, ENTERTAINMENT + CITY Permits

18. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 2 Minutes

Which of the above is nearest? church

→19. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☐ NO ☒

If YES, give details: \_\_\_\_\_

The Division of Liquor Licensing & Enforcement is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

**NOTE:** "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Portland, Maine on July 7<sup>th</sup>, 20 21  
Town/City, State Date

**PLEASE SIGN IN BLUE INK**

Paul PLS

Signature of Applicant or Corporate Officer(s)

Paul Lewis

Print Name

Signature of Applicant or Corporate Officer(s)

Print Name

**FEE SCHEDULE**

|                                                                                                                                                                                                                                                        |                   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| <b>FILING FEE: (must be <u>included</u> on all applications).....</b>                                                                                                                                                                                  | <b>\$ 10.00</b>   |
| <b>Class I</b> Spirituous, Vinous and Malt .....                                                                                                                                                                                                       | <b>\$ 900.00</b>  |
| <b>CLASS I:</b> Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB                                     |                   |
| <b>Class I-A</b> Spirituous, Vinous and Malt, Optional Food (Hotels Only) .....                                                                                                                                                                        | <b>\$1,100.00</b> |
| <b>CLASS I-A:</b> Hotels only that do not serve three meals a day.                                                                                                                                                                                     |                   |
| <b>Class II</b> Spirituous Only .....                                                                                                                                                                                                                  | <b>\$ 550.00</b>  |
| <b>CLASS II:</b> Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.                                                        |                   |
| <b>Class III</b> Vinous Only .....                                                                                                                                                                                                                     | <b>\$ 220.00</b>  |
| <b>CLASS III:</b> Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.          |                   |
| <b>Class IV</b> Malt Liquor Only .....                                                                                                                                                                                                                 | <b>\$ 220.00</b>  |
| <b>CLASS IV:</b> Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.           |                   |
| <b>Class III &amp; IV</b> Malt & Vinous Only .....                                                                                                                                                                                                     | <b>\$ 440.00</b>  |
| <b>CLASS III &amp; IV:</b> Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts. |                   |
| <b>Class V</b> Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts) .....                                                                                                                                                            | <b>\$ 495.00</b>  |
| <b>CLASS V:</b> Clubs without catering privileges.                                                                                                                                                                                                     |                   |
| <b>Class X</b> Spirituous, Vinous and Malt – Class A Lounge .....                                                                                                                                                                                      | <b>\$2,200.00</b> |
| <b>CLASS X:</b> Class A Lounge                                                                                                                                                                                                                         |                   |
| <b>Class XI</b> Spirituous, Vinous and Malt – Restaurant Lounge .....                                                                                                                                                                                  | <b>\$1,500.00</b> |
| <b>CLASS XI:</b> Restaurant/Lounge; and OTB.                                                                                                                                                                                                           |                   |
| <b>SELF-SPONSORED EVENTS: Qualified Caterers Only .....</b>                                                                                                                                                                                            | <b>\$ 700.00</b>  |

**UNORGANIZED TERRITORIES** \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer. All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval and signatures for liquor licenses prior to submitting them to the bureau.

All fees must accompany application, make check payable to the Treasurer, State of Maine.

This application must be completed and signed by the Town or City and mailed to:  
Bureau of Alcoholic Beverages and Lottery Operations  
Division of Liquor Licensing and Enforcement  
8 State House Station, Augusta, ME 04333-0008 (Regular address)  
10 Water Street, Hallowell, ME 04347 (Overnight address)  
Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

**TO STATE OF MAINE MUNICIPAL OFFICERS & COUNTY COMMISSIONERS:**

Hereby certify that we have complied with Section 653 of Title 28-A Maine Revised Statutes and hereby approve said application.

Dated at: \_\_\_\_\_, Maine \_\_\_\_\_  
City/Town (County)

On: \_\_\_\_\_  
Date

The undersigned being: ☐ Municipal Officers ☐ County Commissioners of the  
☐ City ☐ Town ☐ Plantation ☐ Unincorporated Place of: \_\_\_\_\_, Maine

**THIS APPROVAL EXPIRES IN 60 DAYS**

**NOTICE – SPECIAL ATTENTION**

**§653. Hearings; bureau review; appeal**

1. **Hearings.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms. [1993, c. 730, §27 (AMD) .]

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c. 140, §4 (AMD) .]

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application. [2003, c. 213, §1 (AMD) .]

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant. [1995, c. 140, §5 (NEW).] [2003, c. 213, §1 (AMD) .]

**2. Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime; [1987, c. 45, Pt. A, §4 (NEW) .]

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c. 45, Pt. A, §4 (NEW) .]

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c. 730, §27 (AMD) .]

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c. 592, §3 (AMD) .]

E. A violation of any provision of this Title; [2009, c. 81, §1 (AMD) .]

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and [2009, c. 81, §2 (AMD) .]

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages. [2009, c. 81, §3 (NEW) .]

[2009, c. 81, §§1-3 (AMD) .]

**3. Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. [1993, c. 730, §27 (RP) .]

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause. [1993, c. 730, §27 (AMD) .]

[1995, c. 140, §6 (AMD) .]

**4. No license to person who moved to obtain a license.** [1987, c. 342, §32 (RP) .]

**5. Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

[1995, c. 140, §7 (AMD); 1999, c. 547, Pt. B, §78 (AMD); 1999, c. 547, Pt. B, §80 (AFF) .]

Bureau of Alcoholic Beverages and Lottery Operations  
Division of Liquor Licensing & Enforcement  
8 State House Station, Augusta, ME 04333-0008  
10 Water Street, Hallowell, ME 04347 (overnight)  
Tel: (207) 624-7220 Fax: (207) 287-3434  
Email Inquiries: [MaineLiquor@maine.gov](mailto:MaineLiquor@maine.gov)

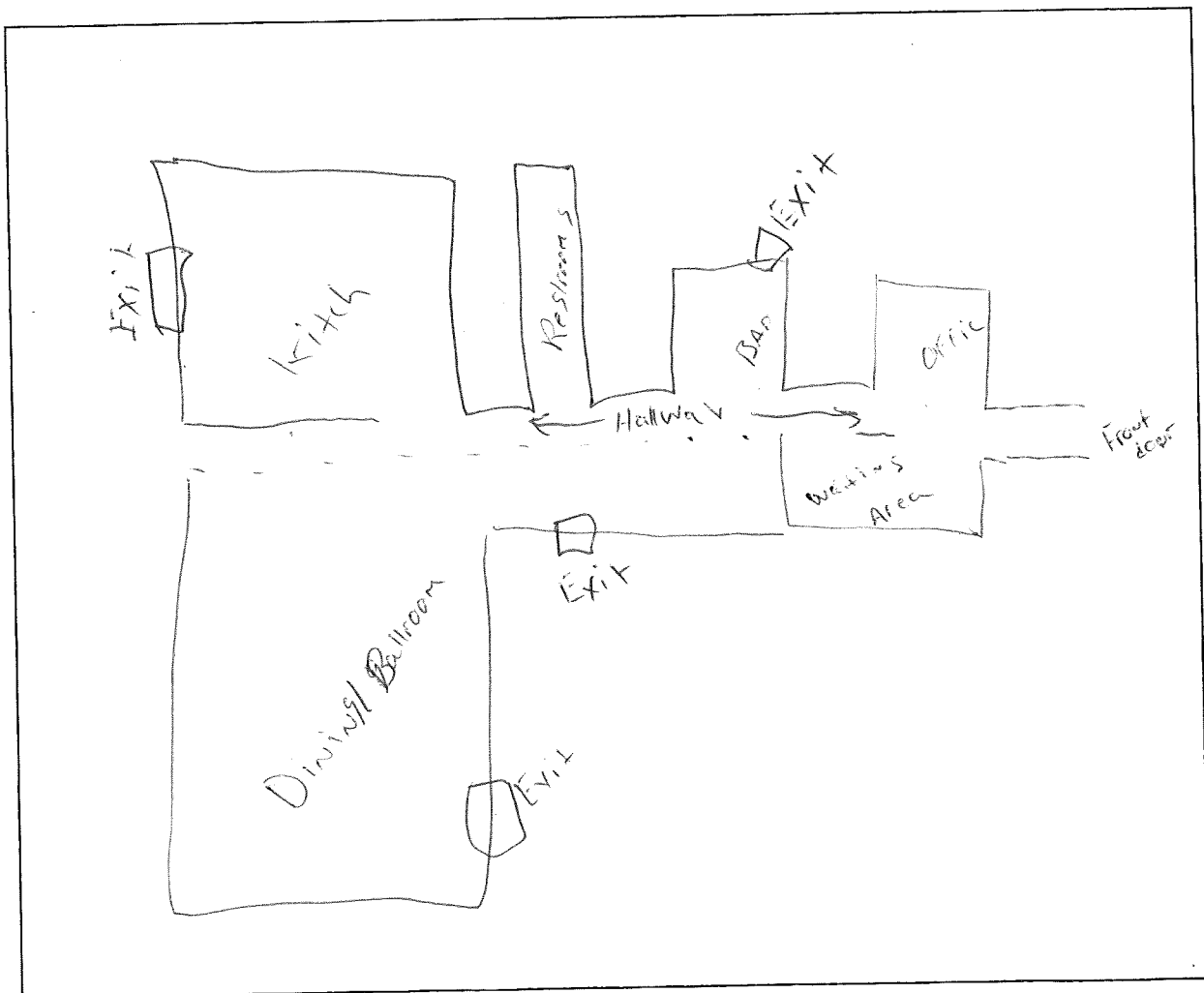


★

## ON PREMISE DIAGRAM (Facility Drawing/ Floor Plan)

In an effort to clearly define your license premise and the area that consumption and storage of liquor is allowed. The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas with the following: • Entrances • Office area • Kitchen • Storage Areas • Dining Rooms • Lounges • Function Rooms • Restrooms • Decks • All Inside and Outside areas that you are requesting approval.





Division of Alcoholic Beverages and Lottery  
Operations  
Division of Liquor Licensing and Enforcement

**Corporate Information Required for  
Business Entities Who Are Licensees**

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752.

Please clearly complete this form in its entirety.

1. Exact legal name: A&P POP UPS LLC
2. Doing Business As, if any: Jacks Twisted Mansion
3. Date of filing with Secretary of State: 3/24/21 State in which you are formed: MAINE
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: \_\_\_\_\_
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attach additional sheets as needed)

| NAME       | ADDRESS (5 YEARS)                                              | Date of Birth | TITLE | Ownership % |
|------------|----------------------------------------------------------------|---------------|-------|-------------|
| Paul Lewis | 401 Cumberland Ave<br>Portland, ME<br>2 HISSING ST, LISBON, ME | 4/18/87       | Owner | 100         |
|            |                                                                |               |       |             |
|            |                                                                |               |       |             |
|            |                                                                |               |       |             |

(Stock ownership in non-publicly traded companies must add up to 100%.)

6. If Co-Op # of members: \_\_\_\_\_ (list primary officers in the above boxes)



7. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States? ☐ Yes ☒ No

8. If Yes to Question 7, please complete the following: (attached additional sheets as needed)

Name: \_\_\_\_\_

Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_

Location of Conviction: \_\_\_\_\_

Disposition: \_\_\_\_\_

Signature:

PLEASE SIGN IN BLUE INK



Signature of Owner or Corporate Officer

7/7/21  
Date

Paul Lewis

Print Name of Owner or Corporate Officer

Submit Completed Forms to:

Bureau of Alcoholic Beverages  
Division of Liquor Licensing and Enforcement  
8 State House Station, Augusta, Me 04333-0008 (Regular address)  
10 Water Street, Hallowell, ME 04347 (Overnight address)  
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434  
Email Inquiries: [MaineLiquor@Maine.gov](mailto:MaineLiquor@Maine.gov)

Bureau of Alcoholic Beverages and Lottery Operations  
Division of Liquor Licensing & Enforcement  
8 State House Station, Augusta, ME 04333-0008  
10 Water Street, Hallowell, ME 04347 (overnight)  
Tel: (207) 624-7220 Fax: (207) 287-3434  
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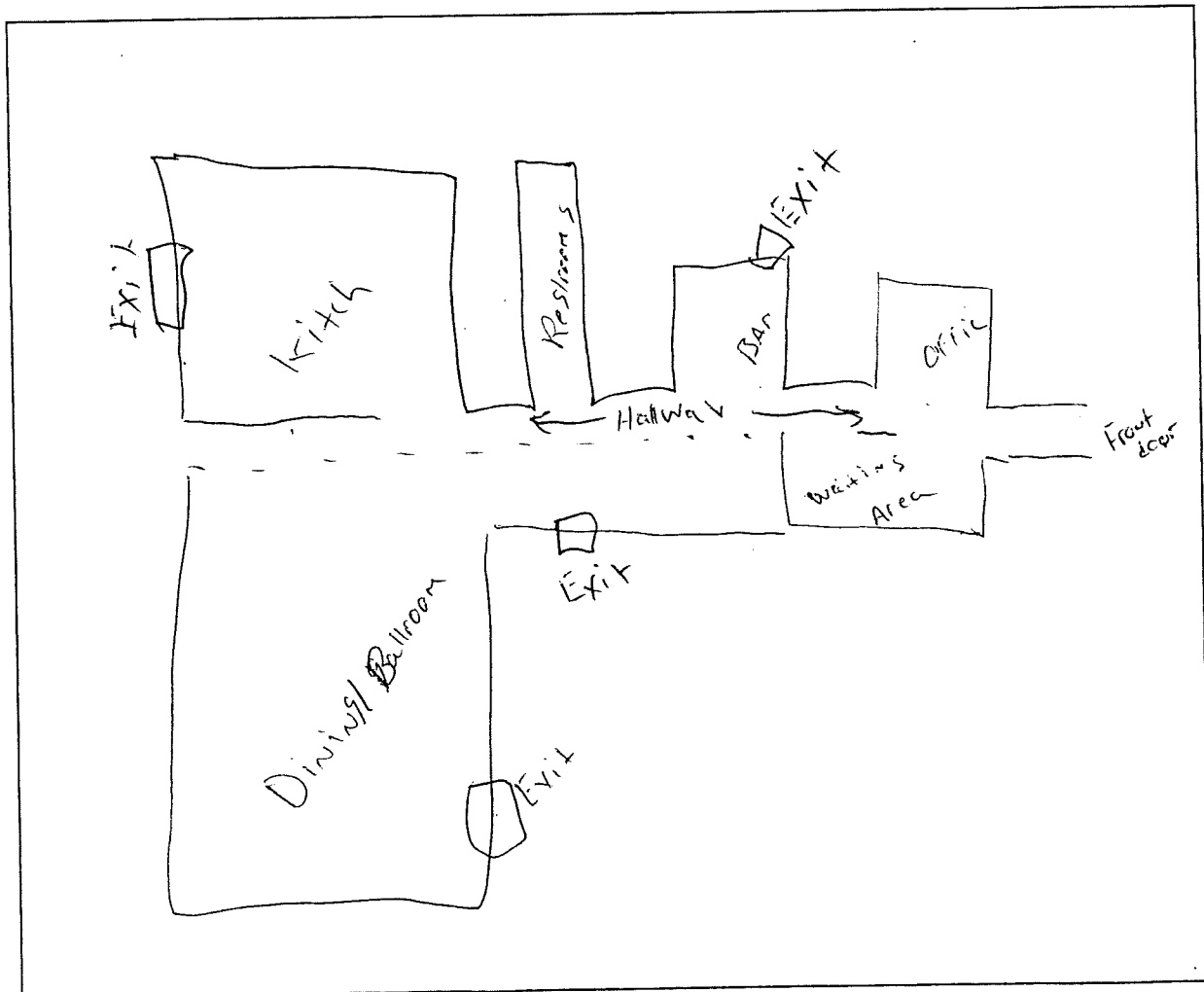


## ON PREMISE DIAGRAM

(Facility Drawing/ Floor Plan)

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Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas with the following: • Entrances • Office area • Kitchen • Storage Areas • Dining Rooms • Lounges • Function Rooms • Restrooms • Decks • All Inside and Outside areas that you are requesting approval.



# Jack's Twisted Mansion

## APPETIZER

Duck Fat Fries

Served with our house gravy on the side for dipping. \$11

Bacon Jalapeno Corn Dogs

Two house made bacon jalapeño corn dogs with a dijon mustard. \$10

Deep Fried Tequila

Angel food cake soaked in tequila then deep fried and sifted with powder sugar.

Dessert for an appetizer? Why not. \$10

Cheese Curds

Served with marinara for dipping. \$11

Spam Fries

Yup you heard right. These bad boy's are rolled in herbs and panko crumbs then deep fried.

Served with a dijon mustard \$11

## SALADS

Kale and Brussel Sprout Salad

With almonds, dried cranberry's and topped with our creamy lime cilantro dressing. \$13

Fresh Watermelon & Arugula Salad

With our house citrus dressing and then topped with crumble feta. \$13

## ENTREES

Bacon Funnel Cake Burger.

Our signature seasoned house burger with lettuce, tomatoes, onion, and our house secret sauce served between two bacon funnel cakes. \$17

Herb Roasted Cornish Hen.

Served with a chorizo bread stuffing and house made gravy on the side. \$18

Honey Lemon Garlic Salmon

Served on a bed of roasted seasoned asparagus. \$19

Chorizo Puffed Taco's

Topped with a cilantro lime slaw and creme fresh. \$16

Vegan Crispy Tofu With a Lemon Caper Cream Sauce

Accompanied with garlic green beans. \$15

Chicken Pot Pie

Your moms homemade goodness. You get the whole pie. \$15

A Bacon Wrapped Fillet Mignon.

Served with roasted parmesan seasoned asparagus. \$23

# Jack's Twisted Mansion

## Brunch Menu

### Huevos Rancheros

Two grilled corn tortillas topped with our house beans two over easy eggs then topped with pico de gallo, feta cheese. Comes with duck fat home fries. \$15

### Kale And Brussel Sprout Salad

With almonds, dried cranberry's and topped with our creamy lime cilantro lime dressing. \$14

### Bacon Wrapped Filet & Garlic Arugula Eggs Scramble

Comes with duck fat home fries. \$23

### Bacon Funnel Cake Chicken Sandwich

Deep fried chicken fingers rolled in our hot sauce then doused in melted cheese sauce topped with pickles, lettuce, tomato. \$16

### Fresh Watermelon & Arugula Salad

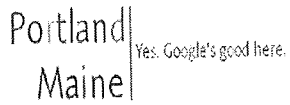
House made citrus dressing and topped with feta. \$14

### Bacon Funnel Cake Burger

Our signature seasoned house burger topped with a over easy egg with lettuce, tomato, onion, and our house secret sauce served between two bacon funnel cakes. \$17

### Garlic Arugula Scramble Eggs

Served with duck fat home fries.



Zachary Lenhart <zlenhart@portlandmaine.gov>

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## Jacks Twisted Mansion

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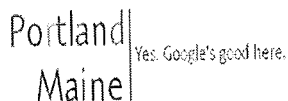
**Eric Nevins** <erich@portlandmaine.gov>  
To: Zachary Lenhart <zlenhart@portlandmaine.gov>

Sun, Aug 8, 2021 at 5:56 PM

Approved.

On Thu, Aug 5, 2021 at 4:20 PM Zachary Lenhart <zlenhart@portlandmaine.gov> wrote:  
[Quoted text hidden]

--  
Eric Nevins  
Lieutenant  
Portland Police Department  
(207) 874-8513



Zachary Lenhart <zlenhart@portlandmaine.gov>

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## Jacks Twisted Mansion

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Dan DeLuna <ddeluna@portlandmaine.gov>

Mon, Sep 13, 2021 at 12:11 PM

To: Zoning <zoning@portlandmaine.gov>

Cc: Dan DeLuna <ddeluna@portlandmaine.gov>, Zachary Lenhart <zlenhart@portlandmaine.gov>, Benjamin Pearson <bnp@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, Eric Nevins <erich@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>, Treasury Division <treasury@portlandmaine.gov>

The City Council approved the Zoning Map Amendment to change the zone of this property from R-6 to B-3 on 9/8/21.

A Class A Restaurant (Class I) is a permitted use in the B-3 zone.

The applicant will still need a change of use permit for Zoning approval of the license in Energov. I have been in contact with the applicant to alert this of this requirement and have noted this is the license application in Energov.

Thank you,

Dan

[Quoted text hidden]

# City of Portland

## Sound Mitigation Review

Date: 8/16/2021

Business Jacks Twisted Mansion

Applicant Paul Lewis

| DESCRIPTION                                                                | yes | no  |
|----------------------------------------------------------------------------|-----|-----|
| Sound system appropriate for the size venue                                |     | Yes |
| Performance space located in an appropriate location                       |     | Yes |
| Performance space facing in an appropriate direction to control sound      |     | Yes |
| Surrounding surfaces appropriate to control sound                          |     | yes |
| Additional sound absorbing features                                        |     |     |
| additional notes                                                           |     |     |
|                                                                            |     |     |
|                                                                            |     |     |
|                                                                            |     |     |
|                                                                            |     |     |
| Approved                                                                   |     | Yes |
| DIRECT ALL INQUIRIES TO:                                                   |     |     |
| Kevin Schneck                                                              |     |     |
| (207) 756-8433                                                             |     |     |
| <a href="mailto:kschneck@portlandmaine.gov">kschneck@portlandmaine.gov</a> |     |     |



**CITY OF PORTLAND**  
**Permitting and Inspections Department**

August 31, 2021

A&P Pop Ups LLC  
156 State St.  
Portland, ME 04101

**Re: A&P Pop Ups LLC, dba Jack's Twisted Mansion. Application for a Class 1 FSE with Indoor Entertainment at 156 State Street**

Dear A&P Pop Ups LLC :

This letter shall serve as a reminder of the public hearing before the Portland City Council on **Monday September 20, 2021 at 5:00 p.m.**, for the review of application for Class 1 FSE with Indoor Entertainment at 156 State Street. The meeting will take place virtually. The link can be found on the Meeting Agenda which will be posted on the City Website on September 17, 2021.

You or a representative of the business must be present at this meeting in the event that the city council has questions regarding the license application. If there is no representation and questions arise, the item may be postponed.

Please contact our office directly with questions at (207)874-8557 or [bl@portlandmaine.gov](mailto:bl@portlandmaine.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Zachary J. Lenhert".

Zachary J. Lenhert  
Licensing and Housing Safety Manager



## **Legal Advertisement**

### **Notice of Public Hearing City of Portland**

A Public Hearing will be held on September 20, 2021 at 5:00 P.M., virtually, A&P Pop Ups LLC, dba Jack's Twisted Mansion. Application for a Class 1 FSE with Indoor Entertainment at 156 State St - Sponsored by Jon P. Jennings, City Manager.

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** September 7, 2021

**SUBJECT:** Order 51-21/22 Granting Municipal Officers' Approval of XGP LLC, dba X-Golf Portland. Application for a Class XI Restaurant/Lounge at 101 York St. - Sponsored by Jon P. Jennings, City Manager

**SPONSOR:**

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading** **Final Action**

**Can action be taken at a later date: No (If no why not?)**

**PRESENTATION:** (List the presenter(s), type and length of presentation)

**I. SUMMARY**

**II. AGENDA DESCRIPTION**

Application was filed on 8/27/21. New City and State applications.

Five affirmative votes are required for passage after public comment.

**III. BACKGROUND**

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

**V. FINANCIAL IMPACT**

**VI. STAFF ANALYSIS AND BACKGROUND**

Staff Analysis and Background that will not appear in the Agenda Description.

**VII. RECOMMENDATION**

**VIII. LIST ATTACHMENTS**

1. X-Golf
2. 20210914155304321

Prepared by:

Date: 09/07/2021

KATHLEEN M SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW J. ZARRO (4)

**CITY OF  
PORTLAND**  
IN THE CITY COUNCIL

MARK N. DION (5)  
APRIL FOURNIER (A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER  
GRANTING MUNICIPAL OFFICERS'  
APPROVAL OF:**

**XGP LLC, dba X-Golf Portland. Application for a Class XI Restaurant/Lounge at 101  
York Street**

XGP, LLC dba X-Golf Portland  
Owner: Joseph Atwood / Peter Atwood  
Location: 101 York Street, Portland, ME 04101

**XGP, LLC - Letter of Intent**

Dear Ms. Snyder and City Council Members,

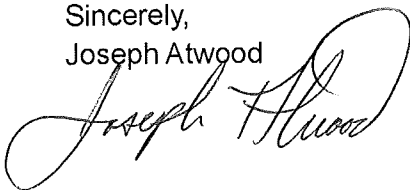
I am writing this letter to express my intent to open a Bar and Restaurant (X-Golf Portland) at 101 York Street in Portland and am applying to secure a Class A Restaurant/Lounge (Class XI) liquor license.

This establishment will also have a space for golf related retail, and as an accessory use, 6 virtual golf simulators. As I had previously discussed with the Portland zoning department, I was assured that my proposed use will be accepted, as the virtual golf simulators (considered indoor amusement) take up less than 25% of the total space, and therefore qualify as an accessory use in this zone.

As a lifelong local resident of the Greater Portland area, my motivation for opening this establishment is to provide an upscale, family friendly, sports bar/restaurant for the people of Greater Portland to come and enjoy a meal, watch a televised sporting event, or play a round of virtual golf.

Thank you for considering my application.

Sincerely,  
Joseph Atwood

A handwritten signature in black ink, appearing to read "Joseph Atwood", written in a cursive style.



CITY OF PORTLAND

Permitting and Inspections Department

Application for Food Service Establishment with Alcoholic Beverages License

|                                             |                                                             |
|---------------------------------------------|-------------------------------------------------------------|
| <b>Business Information</b>                 |                                                             |
| Business Name (d/b/a):                      | X-Golf Portland Phone: 207 899-7373                         |
| Location Address:                           | 101 York St., Portland, ME Zip: 04101                       |
| If new, what was formerly at this location: | Unoccupied                                                  |
| Mailing Address:                            | 9 Providence Ave, Falmouth, ME Zip: 04105                   |
| Contact Person:                             | Joseph Atwood Phone: 207 899-7373                           |
| Contact Person Email:                       | JPAAtwood12@gmail.com                                       |
| Manager of Establishment:                   | Joseph Atwood Date of Birth: 05/22/1990 Phone: 207 899-7373 |
| Owner of Premises (Landlord):               | JB Brown & Sons                                             |
| Address of Premises Owner:                  | 10 Free St, Portland, ME Zip: 04101                         |

Sole Proprietor/Partnership Information (If Corporation, leave blank)

| Name of Owner(s) | Date of Birth | Residence Address |
|------------------|---------------|-------------------|
|                  |               |                   |
|                  |               |                   |

Corporate/LLC/Non-Profit Organization Applicants (If Sole Proprietor or Partnership, leave blank)

|                                                               |               |                                           |                                       |
|---------------------------------------------------------------|---------------|-------------------------------------------|---------------------------------------|
| <b>Corporate Name</b>                                         |               | <b>Corporate Mailing Address</b>          |                                       |
| XGP, LLC                                                      |               | 9 Providence Ave, Falmouth, ME Zip: 04105 |                                       |
| Contact Person:                                               | Joseph Atwood | Phone:                                    | 207 899-7373                          |
| <b>Principal Officers</b>                                     | <b>Title</b>  | <b>Date of Birth</b>                      | <b>Residence Address</b>              |
| Joseph Atwood                                                 | Co-owner      | 05/22/1990                                | 9 Providence Ave, Falmouth, ME 04105  |
| Peter Atwood                                                  | Co-owner      | 03/06/1956                                | 20 Kirkwood rd, Scarborough, ME 04074 |
|                                                               |               |                                           |                                       |
| Class of Liquor License: Class A Restaurant/Lounge (class xi) |               |                                           |                                       |



**CITY OF PORTLAND**  
**Permitting and Inspections Department**

|                                        |                                                                                                                              |                                   |
|----------------------------------------|------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| Type of food served:                   | American fare / Bar food / at least 3 forkable meals                                                                         |                                   |
| Please circle all that will be served: | <input checked="" type="checkbox"/> Beer <input checked="" type="checkbox"/> Wine <input checked="" type="checkbox"/> Liquor |                                   |
| Projected percentage of sales:         | Generated from Food: \$70,000                                                                                                | Generated from Alcohol: \$150,000 |
| Hours & days of operation:             | 9am - 11pm 7 days a week                                                                                                     |                                   |

**QUESTIONS**

|                                                                                                                                     |                                                                         |
|-------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|
| Will full-course meals, only capable of consumption with the use of tableware, be served the entire time the establishment is open? | Y/N<br><input checked="" type="checkbox"/> Y <input type="checkbox"/> N |
| If No, please explain: We will likely close down kitchen prior to closing                                                           |                                                                         |
| Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?                 | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N        |
| If yes, give the distance:                                                                                                          |                                                                         |
| Will you have entertainment on the premises? (If yes, a Supplemental Application for Entertainment is required.)                    | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N        |
| Will you permit dancing after 1:00 a.m.?                                                                                            | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N        |
| Will you have outside dining? (If yes, an Outdoor Dining Application is required)                                                   | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N        |
| If yes, will the outside dining be on PUBLIC or PRIVATE property (circle one).                                                      |                                                                         |
| Will you have any amusement devices (pinball, video games, juke box)? Virtual golf simulators                                       | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N        |
| If yes, please list: # of pinball machines: _____ # of amusements: 6 # of pool tables: _____                                        |                                                                         |
| What is your targeted opening date? 2/1/2022                                                                                        |                                                                         |
| Does the Issuance of this license directly or indirectly benefit any City employee(s)?                                              | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N        |
| If Yes, list name(s) of employee(s) and department(s):                                                                              |                                                                         |
| Have any of the applicants, including the corporation (if applicable), ever held a business license with the City of Portland?      | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N        |
| If Yes, please list business name(s) and location(s):                                                                               |                                                                         |
| Is any principal officer under the age of 21?                                                                                       | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N        |
| Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?    | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N        |
| If Yes, please explain: Joe Atwood, Cited for underaged drinking in 2010                                                            |                                                                         |

I Joseph Atwood do hereby swear and affirm that every employee in my establishment that serves alcohol to the public has attended server training, or will attend server training within 90 days of their hire. I also understand that at any time the City license administrator can, upon request, require me to produce Server Training certificates for each employee that serves alcohol to the public in my establishment. Failure to meet the training requirement imposed by section 15-41 may result in the denial of a liquor license pursuant to 28-A M.R.S.A. § 653 (2) (G).

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above licensee and further agrees that any misstatement of material fact may result in refusal of license or revocation if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto. I/We, hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We, hereby waive any rights to privacy with respect thereto.

Signature Joseph Atwood Title Owner/Manager Date 8/24/2021



STATE OF MAINE  
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES  
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS  
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

## Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

| Division Use Only                                                        |     |
|--------------------------------------------------------------------------|-----|
| License No:                                                              |     |
| Class:                                                                   | By: |
| Deposit Date:                                                            |     |
| Amt. Deposited:                                                          |     |
| Payment Type:                                                            |     |
| OK with SOS:    Yes <input type="checkbox"/> No <input type="checkbox"/> |     |

### Section I:    Licensee/Applicant(s) Information; Type of License and Status

|                                                                             |                                                                               |
|-----------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| Legal Business Entity Applicant Name (corporation, LLC):<br><b>XGP, LLC</b> | Business Name (D/B/A):<br><b>X - Golf Portland</b>                            |
| Individual or Sole Proprietor Applicant Name(s):                            | Physical Location:<br><b>101 York St, Portland, ME 04101</b>                  |
| Individual or Sole Proprietor Applicant Name(s):                            | Mailing address, if different:<br><b>9 Providence Ave, Falmouth, ME 04105</b> |
| Mailing address, if different from DBA address:                             | Email Address:<br><b>JPATWOOD12@gmail.com</b>                                 |
| Telephone #                      Fax #:<br><b>(207) 899-7373</b>            | Business Telephone #                      Fax #:<br><b>(207) 899-7373</b>     |
| Federal Tax Identification Number:<br><b>87-1708307</b>                     | Maine Seller Certificate # or Sales Tax #:                                    |
| Retail Beverage Alcohol Dealers Permit:                                     | Website address:                                                              |

1. New license or renewal of existing license?    ☒ New                      Expected Start date: 2/1/2022
- ☐ Renewal                      Expiration Date: \_\_\_\_\_

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:

Food: \$70,000                      Beer, Wine or Spirits: \$150,000                      Guest Rooms: \_\_\_\_\_

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)

☒ Malt Liquor (beer)                      ☒ Wine                      ☒ Spirits

4. Indicate the type of license applying for: (choose only one)

- |                                                                                                                    |                                                                             |                                                       |
|--------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|-------------------------------------------------------|
| <input type="checkbox"/> Restaurant<br>(Class I, II, III, IV)                                                      | <input checked="" type="checkbox"/> Class A Restaurant/Lounge<br>(Class XI) | <input type="checkbox"/> Class A Lounge<br>(Class X)  |
| <input type="checkbox"/> Hotel<br>(Class I, II, III, IV)                                                           | <input type="checkbox"/> Hotel – Food Optional<br>(Class I-A)               | <input type="checkbox"/> Bed & Breakfast<br>(Class V) |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)<br>(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary                                          | <input type="checkbox"/> Mobile Cart                  |
| <input type="checkbox"/> Tavern<br>(Class IV)                                                                      | <input type="checkbox"/> Other: _____                                       |                                                       |
| <input type="checkbox"/> Qualified Caterer                                                                         | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only)    |                                                       |

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

9 Providence Ave, Falmouth, ME 04105

6. Is the licensee/applicant(s) citizens of the United States?

☒ Yes ☐ No

7. Is the licensee/applicant(s) a resident of the State of Maine?

☒ Yes ☐ No

**NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.**

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

☒ Yes ☐ No If Yes, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

☐ Yes ☒ No

☐ Not applicable – licensee/applicant(s) is a sole proprietor



10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

☐ Yes ☒ No

If yes, please provide details: \_\_\_\_\_

11. Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

| Name of Business | License Number | Complete Physical Address |
|------------------|----------------|---------------------------|
|                  |                |                           |
|                  |                |                           |

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

| Full Name     | DOB        | Place of Birth |
|---------------|------------|----------------|
| Joseph Atwood | 05/22/1990 | MAINE          |
| Peter Atwood  | 03/06/1956 | MAINE          |
|               |            |                |
|               |            |                |

Residence address on all the above for previous 5 years

Name Peter Atwood Address: 20 Kirkwood rd, Scarborough, ME 04074

Name Joseph Atwood Address: 9 Providence Ave, Falmouth, ME 04105

Name 39 Middle St, Unit 2, Portland, ME 04101 Address:  

Name 528 Blackpoint rd, Scarborough, ME 04074 Address:  

69 Middle Morning St, Unit 3A, Portland, ME 04101

262 Danforth St, Portland, ME 04102

13. Will any law enforcement officer directly benefit financially from this license, if issued?

☐ Yes ☒ No

If Yes, provide name of law enforcement officer and department where employed:

\_\_\_\_\_

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

16. Has the licensee/applicant(s) formerly held a Maine liquor license? ☒ Yes ☐ No

17. Does the licensee/applicant(s) own the premises? ☐ Yes ☒ No

If No, please provide the name and address of the owner:

JB Brown and Sons  
10 Free Street, Portland, ME 04101

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: \_\_\_\_\_

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

The entirety of the premises, excluding  
private areas and public bathrooms. (Storage, kitchen,  
private offices, etc.)

20. What is the distance from the premises to the **nearest** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: Baxter Academy for Technology and Science

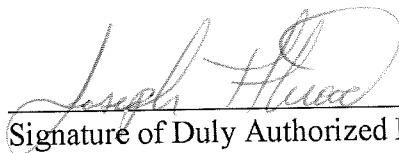
Distance: 300 ft

## Section II: Signature of Applicant(s)

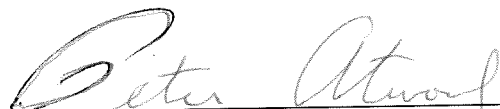
By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

Please sign and date in blue ink.

Dated: 8/24/2021

  
Signature of Duly Authorized Person

Joseph Atwood  
Printed Name Duly Authorized Person

  
Signature of Duly Authorized Person

Peter Atwood  
Printed Name of Duly Authorized Person

**Section III: For use by Municipal Officers and County Commissioners only**

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: \_\_\_\_\_

Who is approving this application? ☐ Municipal Officers of \_\_\_\_\_

☐ County Commissioners of \_\_\_\_\_ County

- ☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

| Signature of Officials | Printed Name and Title |
|------------------------|------------------------|
|                        |                        |
|                        |                        |
|                        |                        |
|                        |                        |
|                        |                        |

**This Application will Expire 60 Days from the date of  
Municipal or County Approval unless submitted to the Bureau**

Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

§653. Hearings; bureau review; appeal

**1. Hearings.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

**A.** The bureau shall prepare and supply application forms.

**B.** The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located.

**C.** If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

**D.** If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

**2. Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

**A.** Conviction of the applicant of any Class A, Class B or Class C crime;

**B.** Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control;

**C.** Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;

**D.** Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises;

**D-1.** Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

**E.** A violation of any provision of this Title;

**F.** A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

**3. Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

**A. Repealed**

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

**4. Repealed**

**5. Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

**Section IV: Terms and Conditions of Licensure as an Establishment that sells liquor for on-premises consumption in Maine**

- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to an on-premise license as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
  - The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- All new applicants must apply to the Alcohol and Tobacco Tax and Trade Bureau (TTB) for its Retail Beverage Alcohol Dealers permit. See the TTB's website at <https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers> for more information.

## Section V: Fee Schedule

**Filing fee required.** In addition to the license fees listed below, a filing fee of \$10.00 must be included with all applications.

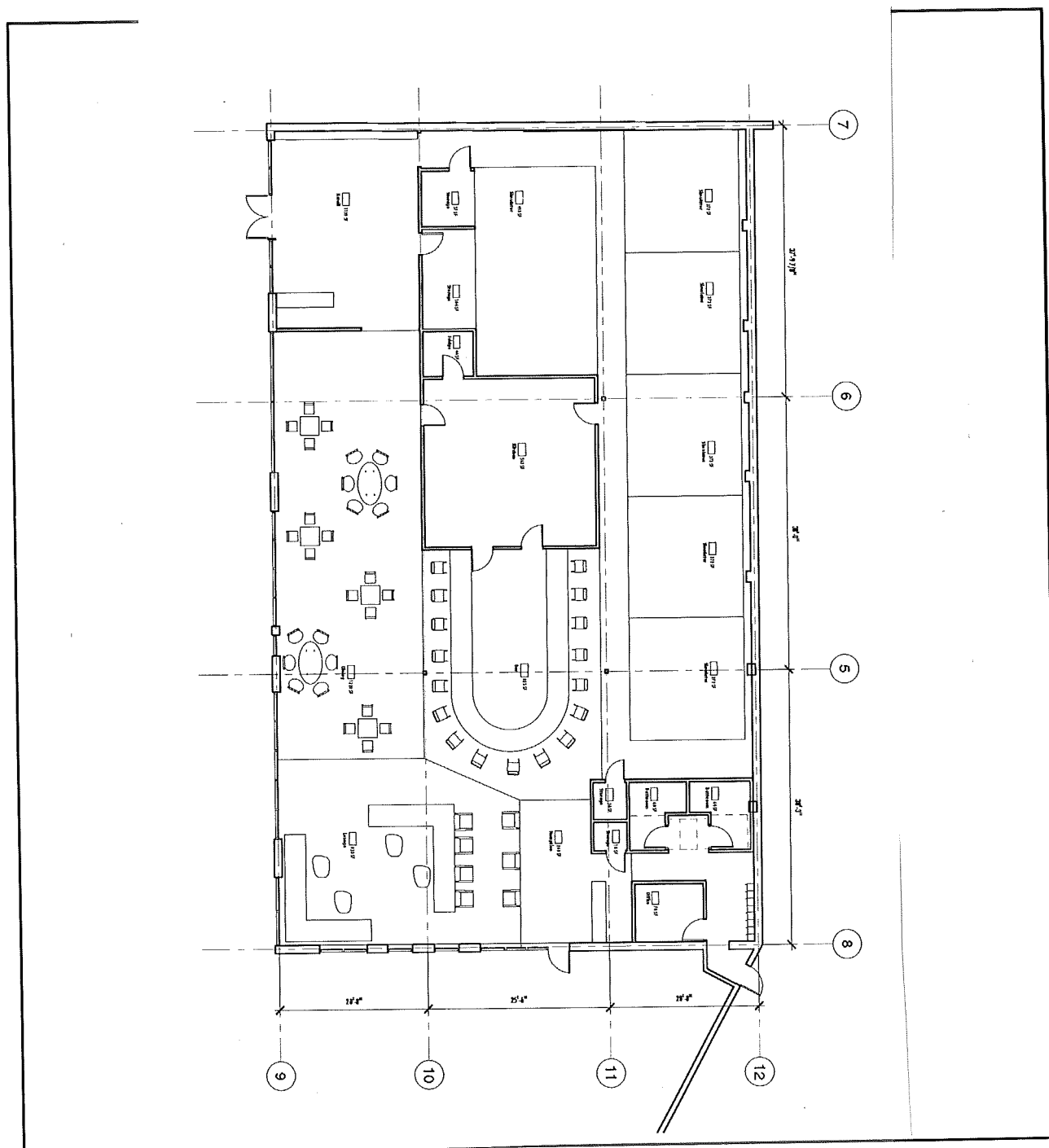
**Please note:** For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

| <b>Class of License</b> | <b>Type of liquor/Establishments included</b>                                                                                                                                                                                                                                                          | <b>Fee</b> |
|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| <b>Class I</b>          | <b>For the sale of liquor (malt liquor, wine and spirits)</b><br>This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers                  | \$ 900.00  |
| <b>Class I-A</b>        | <b>For the sale of liquor (malt liquor, wine and spirits)</b><br>This class includes only hotels that do not serve three meals a day.                                                                                                                                                                  | \$1,100.00 |
| <b>Class II</b>         | <b>For the Sale of Spirits Only</b><br>This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.                                                           | \$ 550.00  |
| <b>Class III</b>        | <b>For the Sale of Wine Only</b><br>This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.                 | \$ 220.00  |
| <b>Class IV</b>         | <b>For the Sale of Malt Liquor Only</b><br>This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.          | \$ 220.00  |
| <b>Class III and IV</b> | <b>For the Sale of Malt Liquor and Wine Only</b><br>This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts. | \$ 440.00  |
| <b>Class V</b>          | <b>For the sale of liquor (malt liquor, wine and spirits)</b><br>This class includes only a Club without catering privileges.                                                                                                                                                                          | \$ 495.00  |
| <b>Class X</b>          | <b>For the sale of liquor (malt liquor, wine and spirits)</b><br>This class includes only a Class A Lounge                                                                                                                                                                                             | \$2,200.00 |
| <b>Class XI</b>         | <b>For the sale of liquor (malt liquor, wine and spirits)</b><br>This class includes only a Restaurant Lounge                                                                                                                                                                                          | \$1,500.00 |

## Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.







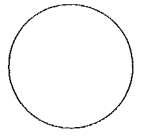


www.pauldesignsproject.com  
2007-07-2008  
1201 N. 1st Street | Portland, ME | 04103  
**PAUL DESIGNS PROJECT**

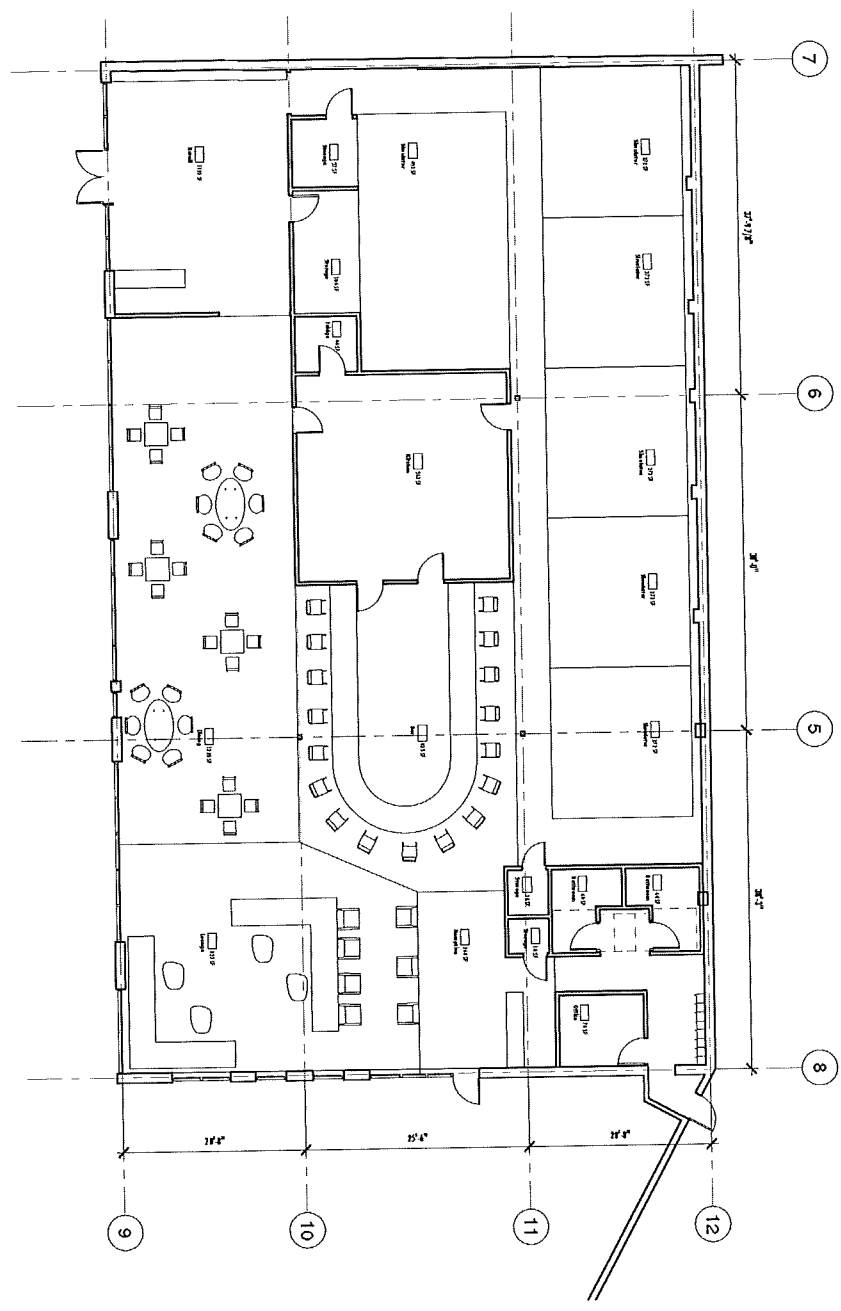
**Joe Atwood**  
x Cell Period

**Floorplan**  
Scale 1/8" = 1'-0"

8-23-21



**A100**



8/23/2021 12:43:45 PM g:\2021 Paul Designs Project\A100

① 01 Final Layout - Layout  
1/8" = 1'-0"

## Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

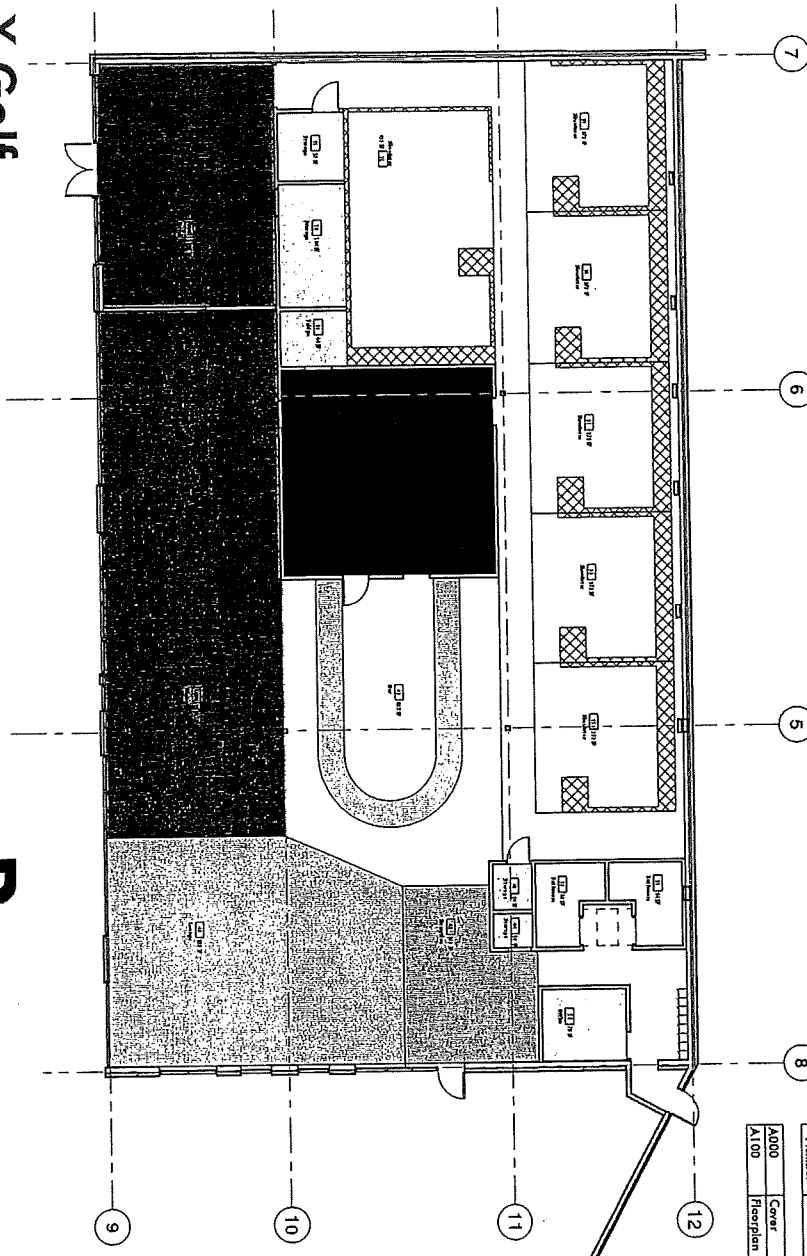
*All Questions Must Be Answered Completely. Please print legibly.*

- Exact legal name: XGP, LLC
- Doing Business As, if any: X - GOLF PORTLAND
- Date of filing with Secretary of State: 7/14/2021 State in which you are formed: ME
- If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:  
\_\_\_\_\_
- List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

| Name          | Address (5 Years)                             | Date of Birth | Title    | Percentage of Ownership |
|---------------|-----------------------------------------------|---------------|----------|-------------------------|
| Peter Atwood  | 20 Kirkwood rd<br>Scarborough, ME 04074       | 03/06/1956    | Co-owner | 50%                     |
| Joseph Atwood | 9 Providence Ave<br>Falmouth, ME 04105        | 05/22/1990    | Co-owner | 50%                     |
|               | 39 Middle St., Unit 2<br>Portland, ME 04101   |               |          |                         |
|               | 588 Black Point rd.<br>Scarborough, ME 04074  |               |          |                         |
|               | 69 Morning St., Unit 3A<br>Portland, ME 04101 |               |          |                         |
|               | 262 Danforth St. Unit 2<br>Portland, ME 04102 |               |          |                         |

(Ownership in non-publicly traded companies must add up to 100%.)

# Progress Set

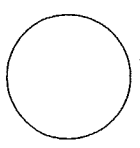


| Sheet List   |            |
|--------------|------------|
| Sheet Number | Sheet Name |
| A000         | Cover      |
| A100         | Floorplan  |

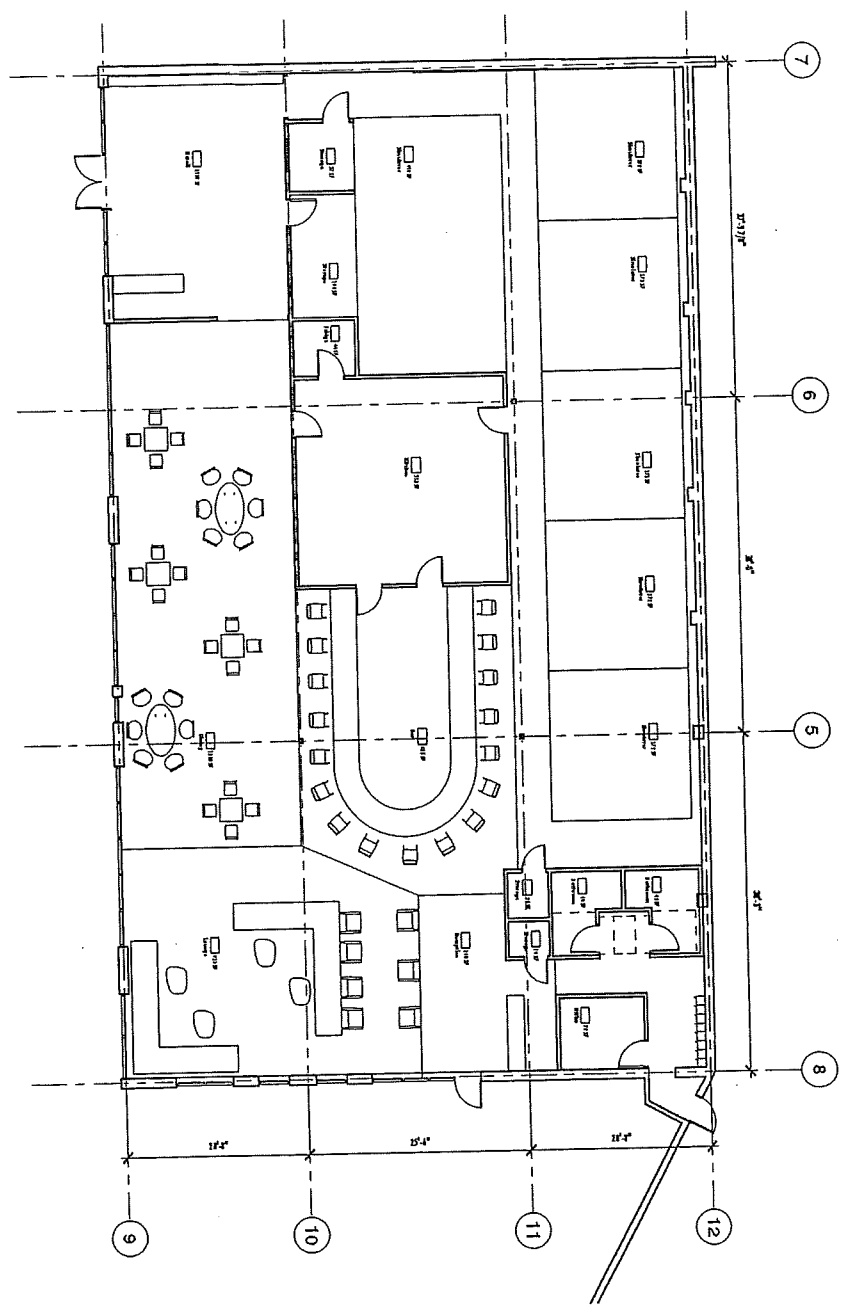


Joe Atwood  
X Cell Perimeter  
PAUL DESIGNS PROJECT

Floorplan  
Scale 1/8" = 1'-0"  
8-23-21



A100



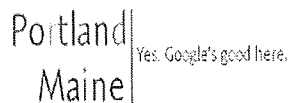
01 First Level - Layout  
1/8" = 1'-0"

8/23/2021 12:43:45 PM p3 user Paul Designs Project User

### X-Golf Portland - Menu

*Please note that this menu is a sample and is subject to change. Per the rules of the Class A Restaurant/Lounge license, our establishment will always have a minimum of 3 forkable meals on the menu:*

|                                                   |         |
|---------------------------------------------------|---------|
| CHIPS, GUAC & SALSA.....                          | \$6.00  |
| HUMMUS & PITA.....                                | \$6.25  |
| CHARCUTERIE BOARD.....                            | \$12.75 |
| 1/2LB CHICKEN WINGS.....                          | \$6.75  |
| 1LB CHICKEN WINGS.....                            | \$12.75 |
| SOFT PRETZEL STICKS & CHEESE.....                 | \$6.00  |
| CHICKEN TENDERS.....                              | \$6.75  |
| BACON CHICKEN WRAP WITH GUAC & SLAW.....          | \$9.00  |
| OVEN ROASTED PORK SHANKS WITH CHILI INFUSED HONEY | \$12.75 |
| PIZZA.....                                        | \$12.00 |
| BREAKFAST SANDWICH.....                           | \$5.75  |
| CHICKEN CAESAR SALAD.....                         | \$11.95 |
| STEAK TIPS AND FRIES.....                         | \$14.95 |
| CHICKEN BROCCOLI ALFREDO PASTA.....               | \$14.95 |



Zachary Lenhert <zlenhert@portlandmaine.gov>

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## X-Golf

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**Eric Nevins** <erickn@portlandmaine.gov>

Tue, Sep 14, 2021 at 3:15 PM

To: Zachary Lenhert <zlenhert@portlandmaine.gov>

Approved

[Quoted text hidden]

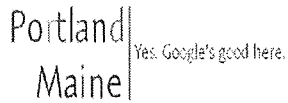
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Eric Nevins

Lieutenant

Portland Police Department

(207) 874-8513



Zachary Lenhart &lt;zlenhart@portlandmaine.gov&gt;

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**X-Golf**

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**Dan DeLuna** <ddeluna@portlandmaine.gov>

Fri, Sep 3, 2021 at 2:27 PM

To: Zoning &lt;zoning@portlandmaine.gov&gt;

Cc: Zachary Lenhart &lt;zlenhart@portlandmaine.gov&gt;, Benjamin Pearson &lt;bnp@portlandmaine.gov&gt;, cstacey &lt;cstacey@portlandmaine.gov&gt;, Eric Cobb &lt;ecobb@portlandmaine.gov&gt;, Eric Nevins &lt;erich@portlandmaine.gov&gt;, Fire Prevention &lt;fireprevention@portlandmaine.gov&gt;, Jason Grant &lt;jgrant@portlandmaine.gov&gt;, Laurie Carlson &lt;lac@portlandmaine.gov&gt;, Ron Kelton &lt;rkelton@portlandmaine.gov&gt;, Tom Williams &lt;tw@portlandmaine.gov&gt;, Treasury Division &lt;treasury@portlandmaine.gov&gt;

A Class A Restaurant/Lounge (Class XI) is a permitted use in the B-3 Zone per Table 6-C of Chapter 14 of City Code of Ordinances.

The applicant has been informed that they will need to apply for a Building Permit to establish the use of these premises as a bar/restaurant. Once the permit is issued I will sign off for zoning on the license in Energov.

Thank you,

Dan

[Quoted text hidden]





**CITY OF PORTLAND**  
**Permitting and Inspections Department**

August 31, 2021

XGP LLC  
9 Providence Ave  
Falmouth, ME 04105

**Re: XGP LLC, dba X-Golf Portland. Application for a Class XI Restaurant/Lounge at 101 York Street**

Dear XGP LLC :

This letter shall serve as a reminder of the public hearing before the Portland City Council on **Monday September 20, 2021 at 5:00 p.m.**, for the review of application for a Class XI Restaurant/Lounge at 101 York Street. The meeting will take place virtually. The link can be found on the Meeting Agenda which will be posted on the City Website on September 17, 2021.

You or a representative of the business must be present at this meeting in the event that the city council has questions regarding the license application. If there is no representation and questions arise, the item may be postponed.

Please contact our office directly with questions at (207)874-8557 or [bl@portlandmaine.gov](mailto:bl@portlandmaine.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Zachary J. Lenhart".

Zachary J. Lenhart  
Licensing and Housing Safety Manager

## **Legal Advertisement**

### **Notice of Public Hearing City of Portland**

A Public Hearing will be held on September 20, 2021 at 5:00 P.M., virtually, XGP LLC, dba X-Golf Portland. Application for a Class XI Restaurant/Lounge at 101 York St. - Sponsored by Jon P. Jennings, City Manager.

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** September 7, 2021

**SUBJECT:** Order 52-21/22 Granting Municipal Officers' Approval of Wallace Project LLC, dba Maps. Application for a Class X Lounge at 64 Market St. - Sponsored by Jon P. Jennings, City Manager

**SPONSOR:**

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading** **Final Action**

**Can action be taken at a later date: No (If no why not?)**

**PRESENTATION:** (List the presenter(s), type and length of presentation)

**I. SUMMARY**

**II. AGENDA DESCRIPTION**

Application was filed on 8/31/21. New City and State applications. Applicant currently holds Class III & IV FSE at this location.

Five affirmative votes are required for passage after public comment.

**III. BACKGROUND**

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

**V. FINANCIAL IMPACT**

**VI. STAFF ANALYSIS AND BACKGROUND**

Staff Analysis and Background that will not appear in the Agenda Description.

**VII. RECOMMENDATION**

**VIII. LIST ATTACHMENTS**

1. Maps
2. 20210914132500324

Prepared by:

Date: 09/07/2021

KATHLEEN M SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW J. ZARRO (4)

**CITY OF  
PORTLAND**  
IN THE CITY COUNCIL

MARK N. DION (5)  
APRIL FOURNIER (A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

ORDER  
GRANTING MUNICIPAL OFFICERS'  
APPROVAL OF:

**Wallace Project LLC, dba Maps. Application for a Class X Lounge at 64 Market Street.**

Maps Bar

Connor Montello & Truman H. Leddy

64A Market Street

Portland, Maine 04101

08/29/2021

To Kate Snyder & Members of the City Council,

This is a letter of intent for the issuance of a class II (Spirituos) Liquor License for the owners of Maps Bar located at 64 A Market Street in downtown Portland. The business currently holds a class III and IV (vinous and malt) and would like to add a small assortment of spirituous options to further the offerings to customers.

Sincerely,

Connor Montello & Truman Leddy

207-272-3397

207-749-4661

[Mapsbarportland@gmail.com](mailto:Mapsbarportland@gmail.com)



**CITY OF PORTLAND**  
**Permitting and Inspections Department**  
**Application for Food Service Establishment with Alcoholic Beverages License**

|                                             |                                                             |
|---------------------------------------------|-------------------------------------------------------------|
| <b>Business Information</b>                 |                                                             |
| Business Name (d/b/a):                      | Maps Phone: 207 749-4661                                    |
| Location Address:                           | 64 A Market Street Portland, ME Zip: 04101                  |
| If new, what was formerly at this location: | N/A                                                         |
| Mailing Address:                            | 178 Concord Street Portland ME Zip: 04103                   |
| Contact Person:                             | Henry Leddy Phone: 207 749 4661                             |
| Contact Person Email:                       | mapsbarPortland@gmail.com                                   |
| Manager of Establishment:                   | Connor Montello Date of Birth: 2/2/1993 Phone: 207-272-3397 |
| Owner of Premises (Landlord):               | Joseph Palacci                                              |
| Address of Premises Owner:                  | 112 Jeanne St Portland ME Zip: 04102                        |

**Sole Proprietor/Partnership Information (If Corporation, leave blank)**

| Name of Owner(s) | Date of Birth | Residence Address |
|------------------|---------------|-------------------|
|                  |               |                   |
|                  |               |                   |

**Corporate/LLC/Non-Profit Organization Applicants (If Sole Proprietor or Partnership, leave blank)**

|                           |              |                                       |                                        |
|---------------------------|--------------|---------------------------------------|----------------------------------------|
| <b>Corporate Name</b>     |              | <b>Corporate Mailing Address</b>      |                                        |
| Wallace Project LLC       |              | 178 Concord St Portland ME Zip: 04103 |                                        |
| Contact Person:           | Henry Leddy  | Phone:                                | 207-749-4661                           |
| <b>Principal Officers</b> | <b>Title</b> | <b>Date of Birth</b>                  | <b>Residence Address</b>               |
| Connor Montello           | Manager      | 2/2/93                                | 128 Elm Street South Portland ME 04106 |
| Henry Leddy               | Manager      | 4/1/93                                | 178 Concord St Portland ME 04103       |
|                           |              |                                       |                                        |
|                           |              |                                       |                                        |
| Class of Liquor License:  |              | Class X - Class A Lounge              |                                        |

389 Congress Street, Room 307 • Portland, Maine 04101 • 207-874-8557

bl@portlandmaine.gov • www.portlandmaine.gov



**CITY OF PORTLAND**  
**Permitting and Inspections Department**

|                                                                                                                                     |                                           |                                        |                 |
|-------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|----------------------------------------|-----------------|
| Type of food served:                                                                                                                |                                           |                                        |                 |
| Please circle all that will be served:                                                                                              | <u>Beer</u>                               | <u>Wine</u>                            | <u>Liquor</u>   |
| Projected percentage of sales:                                                                                                      | Generated from Food: <u>20,000</u>        | Generated from Alcohol: <u>230,000</u> |                 |
| Hours & days of operation:                                                                                                          | <u>tuesday - Sunday 3:00pm - 12:00 am</u> |                                        |                 |
| <b>QUESTIONS</b>                                                                                                                    |                                           |                                        |                 |
| Will full-course meals, only capable of consumption with the use of tableware, be served the entire time the establishment is open? |                                           |                                        | Y/N<br><u>Y</u> |
| If No, please explain: <u>Cakes and Grilled Cheeses are served</u>                                                                  |                                           |                                        |                 |
| Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?                 |                                           |                                        | <u>Y/N</u>      |
| If yes, give the distance:                                                                                                          |                                           |                                        |                 |
| Will you have entertainment on the premises? (If yes, a Supplemental Application for Entertainment is required.)                    |                                           |                                        | <u>Y/N</u>      |
| Will you permit dancing after 1:00 a.m.?                                                                                            |                                           |                                        | <u>Y/N</u>      |
| Will you have outside dining? (If yes, an Outdoor Dining Application is required)                                                   |                                           |                                        | <u>Y/N</u>      |
| If yes, will the outside dining be on <u>PUBLIC</u> or PRIVATE property (circle one).                                               |                                           |                                        |                 |
| Will you have any amusement devices (pinball, video games, juke box)?                                                               |                                           |                                        | <u>Y/N</u>      |
| If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____                                    |                                           |                                        |                 |
| What is your targeted opening date? <u>already open</u>                                                                             |                                           |                                        |                 |
| Does the Issuance of this license directly or indirectly benefit any City employee(s)?                                              |                                           |                                        | <u>Y/N</u>      |
| If Yes, list name(s) of employee(s) and department(s):                                                                              |                                           |                                        |                 |
| Have any of the applicants, including the corporation (if applicable), ever held a business license with the City of Portland?      |                                           |                                        | <u>Y/N</u>      |
| If Yes, please list business name(s) and location(s):                                                                               |                                           |                                        |                 |
| Is any principal officer under the age of 21?                                                                                       |                                           |                                        | <u>Y/N</u>      |
| Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?    |                                           |                                        | <u>Y/N</u>      |
| If Yes, please explain:                                                                                                             |                                           |                                        |                 |

I, Henry Liddy do hereby swear and affirm that every employee in my establishment that serves alcohol to the public has attended server training, or will attend server training within 90 days of their hire. I also understand that at any time the City license administrator can, upon request, require me to produce Server Training certificates for each employee that serves alcohol to the public in my establishment. Failure to meet the training requirement imposed by section 15-41 may result in the denial of a liquor license pursuant to 28-A M.R.S.A. § 653 (2) (G).

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above licensee and further agrees that any misstatement of material fact may result in refusal of license or revocation if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto. I/We, hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We, hereby waive any rights to privacy with respect thereto.

Signature Henry Liddy Title Manager Date 8/30/21



STATE OF MAINE  
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES  
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS  
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

## Application for an On-Premises License

*All Questions Must Be Answered Completely. Please print legibly.*

| Division Use Only                                                        |     |
|--------------------------------------------------------------------------|-----|
| License No:                                                              |     |
| Class:                                                                   | By: |
| Deposit Date:                                                            |     |
| Amt. Deposited:                                                          |     |
| Payment Type:                                                            |     |
| OK with SOS:    Yes <input type="checkbox"/> No <input type="checkbox"/> |     |

### Section I:    Licensee/Applicant(s) Information; Type of License and Status

|                                                                                                   |                                                                                     |
|---------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| Legal Business Entity Applicant Name (corporation, LLC):<br><b>Wallace Project LLC</b>            | Business Name (D/B/A):<br><b>Maps</b>                                               |
| Individual or Sole Proprietor Applicant Name(s):                                                  | Physical Location:<br><b>64A Market Street</b>                                      |
| Individual or Sole Proprietor Applicant Name(s):                                                  | Mailing address, if different:<br><b>178 Concord Street, Portland, Maine, 04103</b> |
| Mailing address, if different from DBA address:<br><b>178 Concord street Portland Maine 04103</b> | Email Address:<br><b>mapsbarportland@gmail.com</b>                                  |
| Telephone #                      Fax #:<br><b>(207) 749-4661</b>                                  | Business Telephone #                      Fax #:<br><b>(207) 749-4661</b>           |
| Federal Tax Identification Number:<br><b>84-2859537</b>                                           | Maine Seller Certificate # or Sales Tax #:<br><b>1201393</b>                        |
| Retail Beverage Alcohol Dealers Permit:                                                           | Website address:<br><b>facebook.com/portlandmaine.MAPS</b>                          |

1. New license or renewal of existing license?    ☒ New                      Expected Start date: 10/01/2021
- ☐ Renewal                      Expiration Date: 10/01/2022

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:

Food:    \$ 20,000.00                      Beer, Wine or Spirits: \$ 230,000.00                      Guest Rooms: N/A

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)

☒ Malt Liquor (beer)    ☒ Wine                      ☒ Spirits



4. Indicate the type of license applying for: (choose only one)

- |                                                                                                                    |                                                                          |                                                                 |
|--------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|-----------------------------------------------------------------|
| <input type="checkbox"/> Restaurant<br>(Class I, II, III, IV)                                                      | <input type="checkbox"/> Class A Restaurant/Lounge<br>(Class XI)         | <input checked="" type="checkbox"/> Class A Lounge<br>(Class X) |
| <input type="checkbox"/> Hotel<br>(Class I, II, III, IV)                                                           | <input type="checkbox"/> Hotel – Food Optional<br>(Class I-A)            | <input type="checkbox"/> Bed & Breakfast<br>(Class V)           |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)<br>(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary                                       | <input type="checkbox"/> Mobile Cart                            |
| <input checked="" type="checkbox"/> Tavern<br>(Class IV)                                                           | <input type="checkbox"/> Other: _____                                    |                                                                 |
| <input type="checkbox"/> Qualified Caterer                                                                         | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) |                                                                 |

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

64A Market Street, Portland, Maine 04103

6. Is the licensee/applicant(s) citizens of the United States? ☒ Yes ☐ No

7. Is the licensee/applicant(s) a resident of the State of Maine? ☒ Yes ☐ No

**NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.**

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

☒ Yes ☐ No If Yes, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

☐ Yes ☐ No

☐ Not applicable – licensee/applicant(s) is a sole proprietor

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

☐ Yes ☒ No

If yes, please provide details: \_\_\_\_\_

11. Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

| Name of Business | License Number | Complete Physical Address |
|------------------|----------------|---------------------------|
|                  |                |                           |
|                  |                |                           |

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

| Full Name          | DOB        | Place of Birth  |
|--------------------|------------|-----------------|
| Truman Henry Leddy | 04/01/1993 | Portland, Maine |
| Connor Montello    | 02/02/1993 | Portland, Maine |
|                    |            |                 |

Residence address on all the above for previous 5 years

|                    |                                       |
|--------------------|---------------------------------------|
| Name               | Address:                              |
| Truman Henry Leddy | 178 Concord St Portland Maine 04103   |
| Name               | Address:                              |
| Connor Montello    | 128 Elm St South Portland Maine 04106 |
| Name               | Address:                              |
| Name               | Address:                              |

13. Will any law enforcement officer directly benefit financially from this license, if issued?

☐ Yes ☒ No

If Yes, provide name of law enforcement officer and department where employed:

\_\_\_\_\_

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

16. Has the licensee/applicant(s) formerly held a Maine liquor license? ☒ Yes ☐ No

17. Does the licensee/applicant(s) own the premises? ☐ Yes ☒ No

If No, please provide the name and address of the owner:

Joseph Palacci, 112 Jeanne St, Portland, ME 04102

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: N/A

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

The area of service is approximately 600 sqft and the area of storage the same. Service area includes 5 tables, a small leather couch, and a bar section as shown in the diagram. There are 30 seats total in the space. one bathroom. The storage area/ office is in the back. it is a completely open concept with the alcohol stored in the far end, office in the front end.

20. What is the distance from the premises to the nearest school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: First Parish Portland Unitarian Universalist

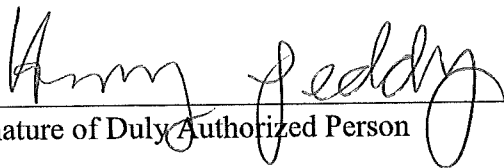
Distance: 0.2 miles

## Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

Please sign and date in blue ink.

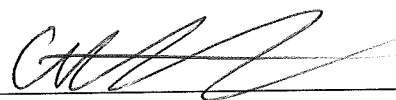
Dated: 08/30/2021



Signature of Duly Authorized Person

Truman Henry Leddy

Printed Name Duly Authorized Person



Signature of Duly Authorized Person

Connor Montello

Printed Name of Duly Authorized Person

**Section III: For use by Municipal Officers and County Commissioners only**

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: \_\_\_\_\_

Who is approving this application? ☐ Municipal Officers of \_\_\_\_\_

☐ County Commissioners of \_\_\_\_\_ County

- ☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

| Signature of Officials | Printed Name and Title |
|------------------------|------------------------|
|                        |                        |
|                        |                        |
|                        |                        |
|                        |                        |
|                        |                        |

**This Application will Expire 60 Days from the date of  
Municipal or County Approval unless submitted to the Bureau**

Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

§653. Hearings; bureau review; appeal

**1. Hearings.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

**A.** The bureau shall prepare and supply application forms.

**B.** The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located.

**C.** If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

**D.** If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

**2. Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

**A.** Conviction of the applicant of any Class A, Class B or Class C crime;

**B.** Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control;

**C.** Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;

**D.** Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises;

**D-1.** Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

**E.** A violation of any provision of this Title;

**F.** A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

**3. Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

**A. Repealed**

**B.** If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

**4. Repealed**

**5. Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

**Section IV: Terms and Conditions of Licensure as an Establishment that sells liquor for on-premises consumption in Maine**

- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to an on-premise license as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
  - The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- All new applicants must apply to the Alcohol and Tobacco Tax and Trade Bureau (TTB) for its Retail Beverage Alcohol Dealers permit. See the TTB's website at <https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers> for more information.

## Section V: Fee Schedule

**Filing fee required.** In addition to the license fees listed below, a filing fee of \$10.00 must be included with all applications.

**Please note:** For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

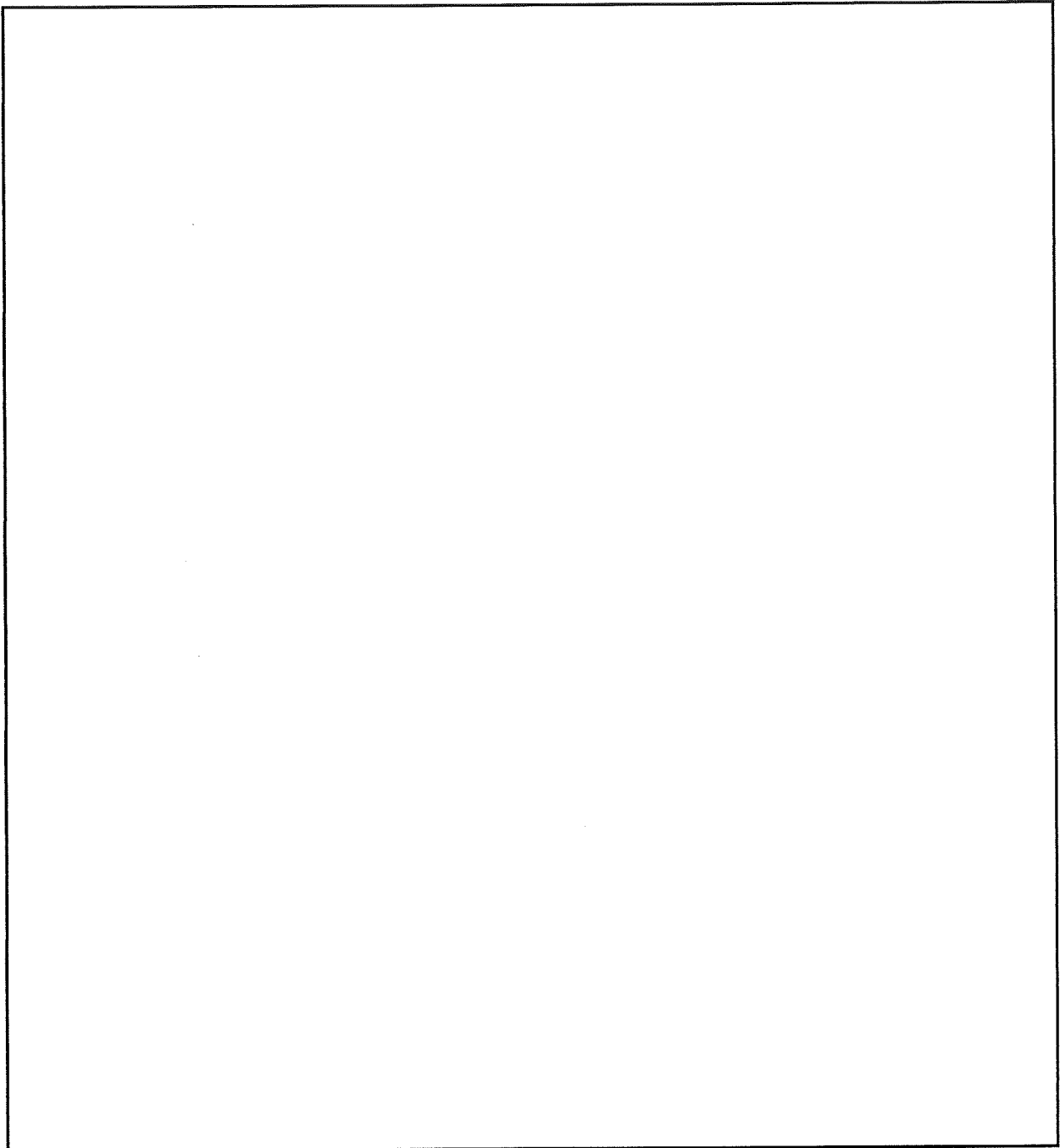
| <b>Class of License</b> | <b>Type of liquor/Establishments included</b>                                                                                                                                                                                                                                                          | <b>Fee</b> |
|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| <b>Class I</b>          | <b>For the sale of liquor (malt liquor, wine and spirits)</b><br>This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers                  | \$ 900.00  |
| <b>Class I-A</b>        | <b>For the sale of liquor (malt liquor, wine and spirits)</b><br>This class includes only hotels that do not serve three meals a day.                                                                                                                                                                  | \$1,100.00 |
| <b>Class II</b>         | <b>For the Sale of Spirits Only</b><br>This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.                                                           | \$ 550.00  |
| <b>Class III</b>        | <b>For the Sale of Wine Only</b><br>This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.                 | \$ 220.00  |
| <b>Class IV</b>         | <b>For the Sale of Malt Liquor Only</b><br>This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.          | \$ 220.00  |
| <b>Class III and IV</b> | <b>For the Sale of Malt Liquor and Wine Only</b><br>This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts. | \$ 440.00  |
| <b>Class V</b>          | <b>For the sale of liquor (malt liquor, wine and spirits)</b><br>This class includes only a Club without catering privileges.                                                                                                                                                                          | \$ 495.00  |
| <b>Class X</b>          | <b>For the sale of liquor (malt liquor, wine and spirits)</b><br>This class includes only a Class A Lounge                                                                                                                                                                                             | \$2,200.00 |
| <b>Class XI</b>         | <b>For the sale of liquor (malt liquor, wine and spirits)</b><br>This class includes only a Restaurant Lounge                                                                                                                                                                                          | \$1,500.00 |



## Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.



Storage (600 sqft)

Bar (600 sqft)

table



door to Storage

Bar

POS

reception

dry storage

coolers

office desk

door to Bar

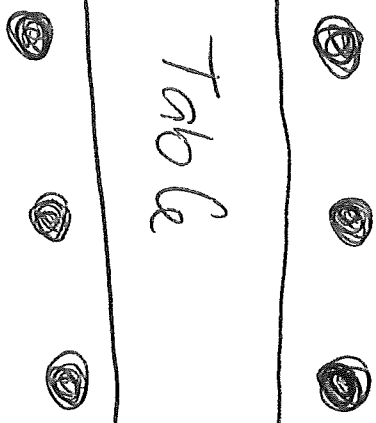
Storage

Sink

Bathroom

Bar top

Table



table



table

banquet Seating

table

wall

stairs / exit

**Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities**

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: Wallace Project LLC
2. Doing Business As, if any: Maps Bar
3. Date of filing with Secretary of State: 9/20/2019 State in which you are formed: Maine
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:  
N/A
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

| Name               | Address (5 Years)          | Date of Birth | Title      | Percentage of Ownership |
|--------------------|----------------------------|---------------|------------|-------------------------|
| Truman Henry Leddy | 178 Concord Street         | 04/01/93      | Bookkeeper | 50%                     |
|                    | Portland Maine 04103       |               |            |                         |
|                    |                            |               |            |                         |
| Connor Montello    | 128 Elm Street             | 02/02/93      | Manager    | 50%                     |
|                    | South Portland Maine 04106 |               |            |                         |
|                    |                            |               |            |                         |

(Ownership in non-publicly traded companies must add up to 100%.)

Storage

Sink

Storage (600 sqft)

Dry storage

Coolers

Office desk

Door to Bar

Prep area

POS

Bar (600 sq ft)

Bar to Storage

Table

Bar top

Bathroom

table

table

table

table

Wall

Stairs/exit

# DRAUGHT LIST

|                                               |      |     |
|-----------------------------------------------|------|-----|
| Bissell Brothers   Substance <b>IPA</b>       | 6.6% | \$8 |
| Austin St.   Offset <b>DIPA</b>               | 7%   | \$8 |
| Zero Gravity   Little Wolf <b>Pale</b>        | 4.7% | \$7 |
| Weihenstephaner   <b>Festbier</b>             | 5.8% | \$7 |
| Paulaner   <b>Lager</b>                       | 4.9% | \$7 |
| Norway/Maps   Private Oates <b>Kolsch</b>     | 5.1% | \$7 |
| Norway   Life's A Beach <b>Session Saison</b> | 3%   | \$7 |
| Tributary   <b>American Wheat</b>             | 5.2% | \$7 |

---



## HAPPY HOUR

**3 – 6pm Everyday**

**\$12** Mini Pitchers of All Drafts

**\$6** Craft Cans

**\$1** Off All Wine Pours

**\$4** Glasses of Rose

---

Join us on Tuesdays for Trivia!

# CANS & BOTTLES

|                                                   |      |
|---------------------------------------------------|------|
| Foulmouthed/Maps   Peel Me <b>Hefe</b>            | \$7  |
| Woodland Farms   Law of the Knife <b>DIPA</b>     | \$8  |
| Liquid Riot   Head Stash <b>IPA</b>               | \$8  |
| Radiant Pig   Tv Party <b>Pale</b>                | \$8  |
| Portland Zoo   Kennedy Park <b>Pilsner</b>        | \$7  |
| Blaze   Littler River <b>American Lager</b>       | \$8  |
| Bunker   Hacienda Lime <b>Mexican Lager</b>       | \$7  |
| OEC   <b>Coolship Lager</b>                       | \$8  |
| Bunker   <b>Bunktoberfest</b>                     | \$7  |
| Carlsberg   <b>Lager</b>                          | \$5  |
| Bissell Brothers   Baby Genius <b>Blonde</b>      | \$8  |
| Allagash   <b>White</b>                           | \$7  |
| Bitburger   <b>Lemon Radler</b>                   | \$6  |
| Brasserie Dupont   Saison Dupont <b>Farmhouse</b> | \$8  |
| Banded   Charms and Hexes <b>Sour</b>             | \$7  |
| Monk's Cafe   <b>Flemish Sour</b>                 | \$8  |
| Orval   <b>Trappist Ale</b>                       | \$10 |
| Fore River   Timberhitch <b>Red</b>               | \$7  |
| Allagash   North Sky <b>Stout</b>                 | \$8  |
| Guinness                                          | \$6  |
| Modelo                                            | \$4  |

## **CIDER:**

|                                                |     |
|------------------------------------------------|-----|
| Anxo   <b>Dry Cider</b>                        | \$8 |
| Stowe   <b>Summer Shandy</b>                   | \$7 |
| Hudson North   <b>Strawberry Rhubarb Cider</b> | \$7 |

# Wine List

## WHITE:

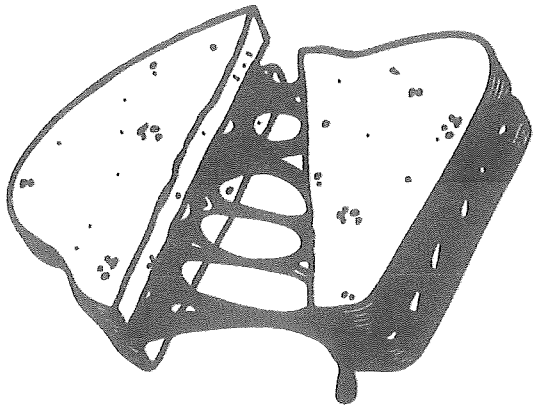
|                                                          |     |
|----------------------------------------------------------|-----|
| Peter Yiedlands   <b>Sauv Blanc</b> , NZ                 | \$8 |
| Notes of Citrus, Guava, Kiwi & Passion Fruit             |     |
| Rotation   <b>Chardonnay</b> , CA                        | \$9 |
| Crisp Green Apple, Tropical Fruits and Light Vanilla Oak |     |
| House   <b>White</b>                                     | \$6 |
| Dry and Mineral Driven Muscadet                          |     |

## RED:

|                                                 |      |
|-------------------------------------------------|------|
| Folly of the Beast   <b>Pinot Noir</b> , CA     | \$9  |
| Notes of Cherry, Cranberry, Earth & Pomegranate |      |
| Gardacho   <b>Garnacha</b> , SP                 | \$10 |
| Bright Red Fruits with Delicate Peppery Spice   |      |
| House   <b>Red</b>                              | \$6  |
| Bold Spanish Tempranillo                        |      |

## OTHER:

|                                                           |     |
|-----------------------------------------------------------|-----|
| Dissegina   <b>Prosecco</b> , IT                          | \$9 |
| Full Bodied, With Notes of Pear, Apricots & Fresh Bread   |     |
| Bluet Sparkling   <b>Blueberry Wine</b>                   | \$9 |
| Dry, & Fruity w/ Bright Acidity                           |     |
| Tonnino   Pinot Grigio <b>Orange</b> , IT                 | \$9 |
| Bright Aromatic Notes of Rose Petals & Exotic Fruits      |     |
| Jean-Luc   Colombo <b>Rose</b> , FR                       | \$8 |
| Dry Rose w/ Notes of Peach, Pepper, Fresh Cherry & Fennel |     |
| <b>CANNED COCKTAILS &amp; SELTZERS</b>                    | \$9 |
| Maine Craft Distilling   <b>Blueberry Lemonade</b>        |     |
| Mix of Blueshine Liquor & Lemonade                        | \$9 |
| Maine Craft Distilling   <b>Maine Mule</b>                |     |
| Mix of Dark Rum & Ginger Beer                             | \$9 |
| Collective Arts   <b>Pink Gin Spritz</b>                  |     |
| Pink Gin & Soda Flavored w/ Raspberry & Bitter Orange     | \$9 |
| Bully Boy   <b>Grapefruit Spritz</b>                      |     |
| Mix of Amaro & Grapefruit                                 | \$9 |
| White Claw   <b>Hard Seltzer</b>                          | \$5 |
| Grapefruit or Raspberry                                   |     |
| Wild Maine   <b>Blueberry Seltzer</b>                     | \$6 |
| Delightfully Tart Blueberry Notes                         |     |



## GRILLED CHEESE

### **Simple**

\$9

Mix of Cheddar & Monterey Jack

### **Vermonter**

\$9

Simple with Maple Bacon Jam

### **English**

\$9

Simple with Garlic Onion Jam

### **Blue**

\$9

Simple with Bleu Cheese & Blueberry Jam

### **Buffalo Chicken**

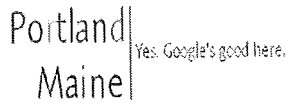
\$12

Buff Chicken with Cheddar & Blue Cheese

---

*All sandwiches include chips!*





Zachary Lenhart <zlenhart@portlandmaine.gov>

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## Maps

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**Eric Nevins** <erich@portlandmaine.gov>

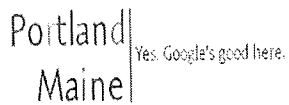
Sat, Sep 4, 2021 at 7:30 PM

To: Zachary Lenhart <zlenhart@portlandmaine.gov>

Approved

On Tue, Aug 31, 2021 at 3:43 PM Zachary Lenhart <zlenhart@portlandmaine.gov> wrote:  
[Quoted text hidden]

--  
Eric Nevins  
Lieutenant  
Portland Police Department  
(207) 874-8513



Zachary Lenhert <zlenhert@portlandmaine.gov>

---

## Maps

**amachado** <amachado@portlandmaine.gov>

Thu, Sep 9, 2021 at 4:23 PM

To: Zoning <zoning@portlandmaine.gov>

Cc: Zachary Lenhert <zlenhert@portlandmaine.gov>, Ron Kelton <rkelton@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>

Zach -

A Class A Lounge (Class X) is considered a bar under zoning and is a permitted use in the B-3 Zone, per Table 6-C of Chapter 14.

Maps has been a bar at that location for a long time; no change of use is required.

Ann

[Quoted text hidden]



**CITY OF PORTLAND**  
**Permitting and Inspections Department**

August 31, 2021

Wallace Project LLC  
178 Concord Street  
Portland, ME 04103

**Re: Wallace Project LLC, dba Maps. Application for a Class X Lounge at 64 Market Street**

Dear Wallace Project LLC :

This letter shall serve as a reminder of the public hearing before the Portland City Council on **Monday September 20, 2021 at 5:00 p.m.**, for the review of application for a Class X Lounge at 64 Market Street. The meeting will take place virtually. The link can be found on the Meeting Agenda which will be posted on the City Website on September 17, 2021.

You or a representative of the business must be present at this meeting in the event that the city council has questions regarding the license application. If there is no representation and questions arise, the item may be postponed.

Please contact our office directly with questions at (207)874-8557 or [bl@portlandmaine.gov](mailto:bl@portlandmaine.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Zachary J. Lenhert".

Zachary J. Lenhert  
Licensing and Housing Safety Manager

## **Legal Advertisement**

### **Notice of Public Hearing City of Portland**

A Public Hearing will be held on September 20, 2021 at 5:00 P.M., virtually, Wallace Project LLC, dba Maps. Application for a Class X Lounge at 64 Market St. - Sponsored by Jon P. Jennings, City Manager

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** September 7, 2021

**SUBJECT:** Order 53-21/22 Granting Municipal Officers' Approval of Maine Craft Distilling LLC dba Maine Craft Distilling. Renewal application for a Combined Entertainment License at 123 Washington Ave. - Sponsored by Jon P. Jennings, City Manager

**SPONSOR:**

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading**

**Final Action**

**Can action be taken at a later date: No (If no why not?)**

**PRESENTATION:** (List the presenter(s), type and length of presentation)

**I. SUMMARY**

**II. AGENDA DESCRIPTION**

A renewal application was filed on 8/11/2021 by Maine Craft Distilling LLC. The applicant currently holds a Class XI FSE with Combined Entertainment and Outdoor Dining on Private Property. Councilor Belinda Ray requested that the renewal be considered by the City Council.

Five affirmative votes are required for passage after public comment.

**III. BACKGROUND**

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

**V. FINANCIAL IMPACT**

**VI. STAFF ANALYSIS AND BACKGROUND**

Staff Analysis and Background that will not appear in the Agenda Description.

**VII. RECOMMENDATION**

**VIII. LIST ATTACHMENTS**

1. Maine Craft Distilling (2)
2. Application and Backup Materials for Maine Craft Distilling

Prepared by:

Date: 09/07/2021

KATHLEEN M SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW J. ZARRO (4)

**CITY OF  
PORTLAND**  
IN THE CITY COUNCIL

MARK N. DION (5)  
APRIL FOURNIER (A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

ORDER  
GRANTING MUNICIPAL OFFICERS'  
APPROVAL OF:

**Maine Craft Distilling LLC dba Maine Craft Distilling. Renewal application for a  
Combined Entertainment license at 123 Washington Ave.**



CITY OF PORTLAND  
Permitting and Inspections Department

**Renewal Application for an Entertainment License**

**MUST INCLUDE: 8 1/2" x 11" diagram showing layout of the premises to include dimensions, locations of dancing, seating, toilet rooms and means of egress**

|                                               |                                            |
|-----------------------------------------------|--------------------------------------------|
| <b>Business Information</b>                   |                                            |
| Business Name (d/b/a):                        | Maine CRAFT DISTILLING Phone: 207 209 0376 |
| Location Address:                             | 123 Washington Ave Zip: 04101              |
| Owner Name:                                   | Nathaniel Davidson Phone: 207 209 0376     |
| Owner Email:                                  | loke@mainecraftdistilling.com              |
| Contact Person responsible for Entertainment: | Joseph Masters Phone: 802 490 9116         |
| Contact Person Email:                         | joe@mainecraftdistilling.com               |
| Manager of Establishment:                     | Joseph Masters Phone: 802 490 9116         |
| Manager Email:                                | joe@mainecraftdistilling.com               |

**About Your Establishment**

|                                                                                                                                                                                                                                                                                                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Describe in detail the type and nature of the business and proposed entertainment: 2 Types<br>Non ticketed music M-Sat<br>Events with larger setup, Sunday Series 6-9<br>All events keep sound levels under 90.5 db as per sound mitigation plan. The entertainment will be live music performances |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above license and further agrees that any misstatement of material fact may result in refusal of license or revocation, if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

Signature [Signature] Title General Manager Date 8/11/21

For more information, refer to the City Code of Ordinance: Chapter 4 Amusements, at [www.portlandmaine.gov](http://www.portlandmaine.gov)



# CITY OF PORTLAND

## Permitting and Inspections Department

389 Congress St. Room 307 • Portland, ME 04101 • (207) 874-8557

[www.portlandmaine.gov](http://www.portlandmaine.gov)

### Renewal for Food Service Establishment with Alcoholic Beverages License

|                             |                              |
|-----------------------------|------------------------------|
| <b>Business Information</b> |                              |
| Business Name (d/b/a):      | Maine CRAFT Distilling       |
| Location Address:           | 123 Washington Ave           |
| Mailing Address:            | 123 Washington Ave           |
| Contact Person:             | Joseph Masters               |
| Contact Person Email:       | joe@mainecraftdistilling.com |

|                    |                                  |
|--------------------|----------------------------------|
| <b>Owner Name</b>  | <b>Corporate Mailing Address</b> |
| Nathaniel Davidson | 123 Washington Ave               |

### About Your Establishment

|                                        |                       |
|----------------------------------------|-----------------------|
| Class of Liquor License:               | X1                    |
| Please circle all that will be served: | Beer Wine Liquor      |
| Hours & days of operation:             | Tuesday - Sunday 12-9 |

| QUESTIONS                                                                                                    | Y/N |
|--------------------------------------------------------------------------------------------------------------|-----|
| Will you have entertainment on the premises?                                                                 | Y/N |
| Will you permit dancing after 1:00 a.m.?                                                                     | Y/N |
| Will you have outside dining? If yes, will the outside dining be on PUBLIC or PRIVATE property? (circle one) | Y/N |
| Will you have any amusement devices (pinball, video games, juke box)?                                        | Y/N |
| If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____             |     |

I Joseph Masters do hereby swear and affirm that every employee in my establishment that serves alcohol to the public has attended server training, or will attend server training within 90 days of their hire. I also understand that at any time the City license administrator can, upon request, require me to produce Server Training certificates for each employee that serves alcohol to the public in my establishment. Failure to meet the training requirement imposed by section 15-41 may result in the denial of a liquor license pursuant to 28-A M.R.S.A. § 653 (2) (G).

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above licensee and further agrees that any misstatement of material fact may result in refusal of license or revocation if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

Signature

Title

Date

389 Congress Street, Room 307 • Portland, Maine 04101 • 207-874-8557

[bl@portlandmaine.gov](mailto:bl@portlandmaine.gov) • [www.portlandmaine.gov](http://www.portlandmaine.gov)



RE: Noise Complaints for 123 Washington Avenue 9/1/2020 - 9/1/2021

Date: 9/7/2021

**DISPATCH CALL #/DATE/TIME/ADDRESS/BUSINESS NAME**

**202590467 09/15/20 08:45PM 123 WASHINGTON AVE MAINE CRAFT DISTILLING**

Disposition: Unfounded - No decibel noted

**211500352 05/30/21 06:48PM 123 WASHINGTON AVE MAINE CRAFT DISTILLING**

Disposition: Decibel reading 86/Mgmt cooperative and stated band would stop playing around 8:30pm

**211500425 05/30/21 09:40PM 123 WASHINGTON AVE MAINE CRAFT DISTILLING**

Disposition: Band packing and leaving when Police arrived

**211640329 06/13/21 03:40PM 123 WASHINGTON AVE MAINE CRAFT DISTILLING**

Disposition: No music playing when Police arrived - Staff stated band would start back up at 6pm

**211700472 06/19/21 07:25PM 123 WASHINGTON AVE MAINE CRAFT DISTILLING**

Disposition: Decibel reading 78.6

**211700527 06/19/21 08:59PM 123 WASHINGTON AVE MAINE CRAFT DISTILLING**

Disposition: Decibel reading 85.6

**211710289 06/20/21 03:26PM 123 WASHINGTON AVE MAINE CRAFT DISTILLING**

Disposition: Decibel reading 75

**211710401 06/20/21 07:01PM 123 WASHINGTON AVE MAINE CRAFT DISTILLING**

Disposition: Noted decibel was under city ordinance - conducted follow up with caller who stated she would contact City Hall

**211840535 07/03/21 09:48PM 123 WASHINGTON AVE MAINE CRAFT DISTILLING**

Disposition: Provided Service - no decibel level noted

**211920419 07/11/21 06:24PM 123 WASHINGTON AVE MAINE CRAFT DISTILLING**

Disposition: Decibel reading of 80

**211990422 07/18/21 06:34PM 123 WASHINGTON AVE MAINE CRAFT DISTILLING**

Disposition: Decibel reading of 82

**211990425 07/18/21 06:41PM 123 WASHINGTON AVE MAINE CRAFT DISTILLING**

Disposition: Duplicate call - decibel reading of 82

**211990448 07/18/21 07:52PM 123 WASHINGTON AVE MAINE CRAFT DISTILLING**

Disposition: Decibel reading of 89

**211990453 07/18/21 08:11PM 123 WASHINGTON AVE MAINE CRAFT DISTILLING**

Disposition: Duplicate call - decibel reading of 89

**212130357 08/01/21 04:12PM 123 WASHINGTON AVE MAINE CRAFT DISTILLING**

Disposition: Provided Service - No decibel noted

**212130426 08/01/21 06:20PM 123 WASHINGTON AVE MAINE CRAFT DISTILLING**

Disposition: Decibel reading of 87

**212130493 08/01/21 06:20PM 123 WASHINGTON AVE MAINE CRAFT DISTILLING**

Disposition: Decibel reading of 84 - Agreed to turn down the music

**212130514 08/01/21 08:54PM 123 WASHINGTON AVE MAINE CRAFT DISTILLING**

Disposition: Provided Service - No decibel noted

**212160481 08/04/21 08:12PM 123 WASHINGTON AVE MAINE CRAFT DISTILLING**

Disposition: Unfounded - No decibel noted

**212270506 08/15/21 06:43PM 123 WASHINGTON AVE MAINE CRAFT DISTILLING**

Disposition: Decibel reading of 70

**212270554 08/15/21 08:14PM 123 WASHINGTON AVE MAINE CRAFT DISTILLING**

Disposition: Band was packing up when Police arrived

**212280537 08/16/21 10:28PM 123 WASHINGTON AVE MAINE CRAFT DISTILLING**

Disposition: Provided Service - No decibel noted

**212320583 08/20/21 09:18PM 123 WASHINGTON AVE MAINE CRAFT DISTILLING**

Disposition: Decibel reading of 78

**212410520 08/29/21 08:15PM 123 WASHINGTON AVE MAINE CRAFT DISTILLING**

Disposition: Decibel reading of 79

**212450570 09/02/21 08:44PM 123 WASHINGTON AVE MAINE CRAFT DISTILLING**

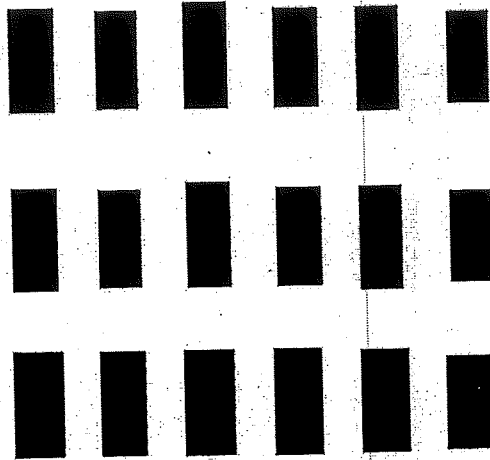
Disposition: Business closed when Police arrived

Send to: 11301 S  
Dixie Hwy #566150...  
Fish store

The Shop by Island  
Creek Oysters  
Takeout

Maine Craft Distilling  
Takeout

TENT



Picnic Tables  
100 Person Max

Tents for gate access

Fenced area with security

# Maine Craft Distilling

## SOUND CONTROL PROCEDURES

### SOUND CONTROL

Appropriate siting and orientation of performance stages and speakers, acoustic barriers and will adopt best practice acoustic management techniques to achieve compliance with the noise limits and minimize the potential for adverse acoustic amenity in the surrounding community. To achieve this, events will incorporate a range of design and management measures. Specific controls incorporated into the design of events held at MCD are to be investigated during development of the stage layout and design of event PA systems. Individual assessment will be undertaken to incorporate modification of the event design to optimize acoustic benefits for offsite receptors. The following sections provide an overview of the design and management measures to be considered by MCD during events

### DESIGN MEASURES

For events held at MCD, best practice acoustic management techniques to be considered as part of the event planning process include:

1. Where possible, public address speakers, event stages and speakers shall generally be directed away from sensitive receivers;
2. Where possible, speaker directivity shall be considered during design and selection of arrays to minimize spillage of noise beyond venue area;
3. Where possible, amplified noise is to be directed away from the street and neighboring buildings
4. Where speakers are mounted on poles or otherwise elevated above ground, they are generally to be inclined downwards from the horizontal or otherwise designed to reduce noise spillage
5. Event stages and speakers shall be positioned to utilize any noise attenuation to sensitive receivers provided by the natural topography of the site and surrounding area
6. Use fixed or portable barriers (e.g. shipping containers, hay bales) to construct acoustic barriers where necessary to limit noise emissions from event activities (e.g. behind stages)
7. Where space and logistics allow, place trucks between and trailers behind stages to act as an acoustic barrier
8. Require the stage and production staff to install optimized sub-arrays and optimized speaker arrays when needed

### PRE-EVENT INFORMATION

Local residents will be informed of the details of the concerts via social media and a telephone number for making enquiries or complaints during or after the event.

### **EXTERNAL MONITORING**

Three staff members will be stationed at street locations with BAFX Products - Decibel Meter/Sound Pressure Level Reader (SPL) / 30-130dBA to monitor and record sound decibels and report any lack of compliance to the sound crew or site manager so that any such violations can be modified.

### **COMPLAINTS HANDLING**

Should complaints of music noise arise during the event, the details will be logged by the onsite team and passed onto MCD management who will assess the music noise level at the closest permanent external monitor with the location details of the complaint. This will assist in building up a geographical picture of complaints. Where a resident wishes for a consultant to visit, this will be undertaken (wherever practicable) and location measurements recorded.

### **IN CONCLUSION**

MCD is very keen to be a good citizen of the city and even more to be a good neighbor. Our business is 100% dependent on good quality engagement with the public *and* our customers. Our goal for Outside Entertainment is to create a modest and compliant space to entertain our guests in the months it is weather permissible. We have no desire or intention to be a loud or annoying business. Every precaution will be taken to keep within all ordinances and all best practices will be employed to ensure a safe, enjoyable time is had by both customers and city residents.

## **Legal Advertisement**

### **Notice of Public Hearing City of Portland**

A Public Hearing will be held on September 20, 2021 at 5:00 P.M., virtually Maine Craft Distilling LLC dba Maine Craft Distilling. Renewal application for a Combined Entertainment license at 123 Washington Ave. - Sponsored by Jon P. Jennings, City Manager



**CITY OF PORTLAND**  
**Permitting and Inspections Department**

August 12, 2021

Dear Business Owner:

Enclosed is the renewal notice for your City of Portland Liquor license.

**The City Council has requested that you come before them regarding your Entertainment License. Please return the renewal paperwork to our office, no later than August 30, 2021. You will appear before the City Council on September 20, 2021.**

Please return the renewal notice with the following:

- The license fee
- Entertainment Renewal Application
- A completed Renewal for Food Service Establishment with Alcoholic Beverage
- A completed State of Maine "On Premise License Application" form.
- Copy of your written records showing that all employees of your business that serve alcohol have completed Server Training.

If there are outstanding taxes on the part of the business or property or if you owe the City money for any other reason, we cannot renew your license until those debts are settled.

If you have any questions, please do not hesitate to contact us by phone at 874-8557 or by email at [bl@portlandmaine.gov](mailto:bl@portlandmaine.gov).

Sincerely,

Zachary J. Lenhert  
Licensing and Housing Safety Manager

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** September 10, 2021

**SUBJECT:** Written Public Comment

**SPONSOR:**

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading**

**Final Action**

**Can action be taken at a later date: No (If no why not?)**

**PRESENTATION:** (List the presenter(s), type and length of presentation)

**I. SUMMARY**

**II. AGENDA DESCRIPTION**

**III. BACKGROUND**

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

**V. FINANCIAL IMPACT**

**VI. STAFF ANALYSIS AND BACKGROUND**

Staff Analysis and Background that will not appear in the Agenda Description.

**VII. RECOMMENDATION**

**VIII. LIST ATTACHMENTS**

1. Order 53-21\_22 Public Comment as of 09.20.2021 at noon
2. ORD53-21\_22 Noise Petition

Prepared by:

Date: 09/10/2021



# Public comment related to order 51-21/22 - 09/20/21 Renewal of Maine Craft Distilling's entertainment license

Public Comment inbox



**Scott Tebbetts** <scott.tebbetts@gmail.com>

Thu, Sep 16, 8:06 AM (1 day ago)

to publiccomment

Please see the attached letter in response to order 51-21/22 - Renewal of Maine Craft Distilling's entertainment license scheduled for review on 09/20/21

Respectfully,

Scott Tebbetts  
145 Anderson Street  
Portland, Maine

RE: Order 53-21/22

Dear City Councilors,

9/15/2021

I am writing about the renewal of Maine Craft Distilling's (MCD) combined entertainment license scheduled for City Council review on Monday, Sept 20. I ask that you not renew MCD's license for outdoor entertainment due to disruptive loud music emanating from their outdoor events. My concern about noise is not limited to just MCD's entertainment license but extends to the other 31 establishments within the city of Portland currently holding either a combined indoor/outdoor entertainment license or an outdoor only entertainment license (see attached list)<sup>1</sup>.

**Entertainment licenses conflict with Portland's Noise Ordinance. When the Portland city council approves an entertainment license, they sanction businesses to supersede Portland's noise ordinance by up to 30 decibels (dBA) and set up a clash between business interests and residents wanting to protect their quality of life.**

Portland's noise ordinance limits dBA limits by zone and time of day. Higher dBA is allowed from 7AM-10PM, and lower dBA from 10PM-7AM. Residential areas and zones abutting residential areas generally have dBA levels in the 55-60 dBA range from 7AM-10PM and 50-55 dBA from 10 PM-7AM. In industrial zones not abutting residential areas (I-MB, I-H, I-HB), dBA is limited to 75 dBA from 7AM-10PM and 55 dBA from 10PM-7AM. **However, entertainment licenses allow businesses like MCD to emit sound or noise up to 85 dBA until 1 am, even when the business is located within or abutting residential zones.** With an outdoor entertainment license, MCD and any of the other 31 current license holders can exceed the 10PM-7AM dBA noise ordinance benchmark established for residential areas by 30 dBA (see excerpt below from the Portland city code related to entertainment licenses: 4-57: Conditions; sound and noise limitation). Each business can do so up to 16 hours a week.

*"DIVISION 3. STANDARDS FOR ENTERTAINMENT PURSUANT TO A LICENSE*

***Sec. 4-57. Conditions; sound and noise limitation.***

*(a) Any other provision of this Code notwithstanding, a licensee shall not allow the licensed activity or any other activities on the licensed premises to generate sound or noise that exceeds either of the following standards without an Expanded Entertainment Addendum:*

- 1. Eighty-five (85) dBA; and*
- 2. Ninety-five (95) dBA."*

Outdoor Entertainment licenses render Portland's noise ordinance moot and sanctions noise and sound that substantially disrupts the quality of life for thousands of residents throughout the city living near the license holders. Unless and until the city council reviews and amends Portland city code 4-57 so that it is in alignment with the city's own noise ordinance, I ask that you not renew MCD's outdoor entertainment license.

Thank you-

Scott Tebbetts / 145 Anderson Street / Portland, Maine

---

<sup>1</sup> Number of licenses provided on 9/13/2021 by Jessica Hanscombe, Director of Permitting and Inspections for the city of Portland.

| company name                           | address                  |                                                  |           | entertainment type     |
|----------------------------------------|--------------------------|--------------------------------------------------|-----------|------------------------|
| AMIGO'S                                | 9 DANA ST                | Class XI Restaurant/Lounge                       | Issued    | Combined Entertainment |
| Apres                                  | 148 ANDERSON ST #        | Class A Lounge                                   | Issued    | Combined Entertainment |
| AUSTIN STREET BREWERY, LLC             | 109 FOX ST #             | Class A Lounge                                   | Issued    | Combined Entertainment |
| BAYSIDE BOWL                           | 58 ALDER ST              | Class XI Restaurant/Lounge                       | Issued    | Combined Entertainment |
| Belleflower Brewing Company            | 66 COVE ST #             | Brewery/Winery/Distillery On Premise Consumption | Issued    | Combined Entertainment |
| CASABLANCA CRUISES                     | 86 COMMERCIAL ST         | Class I FSE                                      | Issued    | Combined Entertainment |
| DIAMOND'S EDGE RESTAURANT              | 279 DIAMOND AVE          | Class I FSE                                      | Issued    | Combined Entertainment |
| FOREFRONT BRICK SOUTH CATERING COMPANY | 8 THOMPSONS POINT        | Qualified Catering                               | Issued    | Combined Entertainment |
| INN ON PEAKS ISLAND                    | 33 ISLAND AVE            | Class I FSE                                      | Issued    | Combined Entertainment |
| JONES LANDING                          | 6 WELCH ST               | Class A Lounge                                   | Issued    | Combined Entertainment |
| LONE PINE BREWING COMPANY              | 219 ANDERSON ST          | Brewery/Winery/Distillery On Premise Consumption | Issued    | Combined Entertainment |
| Luke's Lobster                         | 60 PORTLAND PIER         | Class I FSE                                      | Issued    | Combined Entertainment |
| MAINE CRAFT DISTILLING                 | 123 WASHINGTON AVE       | Class XI Restaurant/Lounge                       | In Review | Combined Entertainment |
| MATHEW'S LOUNGE                        | 133 FREE ST              | Class XI Restaurant/Lounge                       | Issued    | Combined Entertainment |
| OASIS                                  | 42 WHARF ST              | Class A Lounge                                   | Issued    | Combined Entertainment |
| PORTHOLE RESTAURANT & PUB, THE         | 20 CUSTOM HOUSE          | Class XI Restaurant/Lounge                       | Issued    | Combined Entertainment |
| Portland Discovery Land & Sea Tours    | 25 LONG WHARF #          | Class I FSE                                      | Issued    | Combined Entertainment |
| Portland Harbor Hotel                  | 468 FORE ST #            | Class IA Inn (41+ rooms)                         | Issued    | Combined Entertainment |
| PORTLAND HOUSE OF MUSIC & EVENTS       | 25 TEMPLE ST             | Auditorium                                       | Issued    | Combined Entertainment |
| PORTLAND LOBSTER CO.                   | 184 COMMERCIAL ST        | Class III & IV                                   | Issued    | Combined Entertainment |
| PORTLAND SEA DOGS                      | 271 PARK AVE #           | Class III & IV                                   | Issued    | Combined Entertainment |
| Portland Zoo                           | 41 FOX ST                | Class A Lounge                                   | Issued    | Combined Entertainment |
| RISING TIDE BREWING COMPANY LLC        | 109 FOX ST #             | Class III & IV                                   | Issued    | Combined Entertainment |
| The Club at Riverside                  | 1158 RIVERSIDE ST #      | Class I FSE                                      | Issued    | Combined Entertainment |
| The Public Works                       | 52 Alder St              | Auditorium                                       | In Review | Combined Entertainment |
| The Yard                               | 82 HANOVER ST #          | Class XI Restaurant/Lounge                       | Issued    | Combined Entertainment |
| URBAN FARM FERMENTORY                  | 200 ANDERSON ST          | Class III & IV                                   | Issued    | Combined Entertainment |
| Wilson County Barbecue                 | 82 HANOVER ST #          | Class I FSE                                      | Issued    | Combined Entertainment |
| Congress Square Park                   | 8 Congress Sq            | Outdoor Entertainment                            | Issued    | Outdoor Entertainment  |
| Forefront Events                       | 10 THOMPSON'S POINT RD # | Outdoor Entertainment                            | Renewed   | Outdoor Entertainment  |
| Forefront Events                       | 10 THOMPSON'S POINT RD # | Outdoor Entertainment                            | Issued    | Outdoor Entertainment  |
| Terlingua                              | 40 WASHINGTON AVE        | Class I FSE                                      | In Review | Outdoor Entertainment  |

# City Council Sep 20 meeting: Public Comment on Order 53 21/22, Maine Craft Distilling license renewal

Public Comment inbox



**'Barbara Brown' via Public Comment** <public...  
to publiccomment

Thu, Sep 16, 3:59 PM (23 hours ago)

Attached is my public comment to be included in the packet for the City Councilors for their Sep 20 meeting.

Thank you  
Barbara Brown  
156 Sheridan St #2c

September 20, 2021

RE: Order 53-21/22 Granting Approval of Maine Craft Distilling LLC renewal application for a Combined Entertainment License

Mayor Snyder and Members of the Portland City Council:

Thank you for the opportunity to comment on the renewal of the license for Maine Craft Distilling (MCD). My name is Barbara Brown and I live at 156 Sheridan Street Unit 2C in Portland. I am providing public comment today to ask you to modify MCD's combined entertainment license to allow only indoor live music.

I do not believe that an outdoor music venue is appropriate for MCD's location in a basically residential area (see attachment 1 for map from the city's GIS of locations labeled family or condo, with starred stage location, as well as attachments 2a, b, and c, photos showing how close the stage is to abutting homes). The excessive noise from MCD's outdoor live music is having a serious detrimental effect disturbing the surrounding residential neighborhood.

As I am sure you know, Maine Craft Distilling's combined entertainment license was approved by the City Council on November 9, 2020. This license modified their 2017 license to allow outdoor as well as indoor music. The noise situation has deteriorated substantially since issuance of the combined license.

I moved into my condominium immediately above MCD In July 2018. At that time MCD had occasional live band music inside their tasting room in accordance with the city approved 2017 license, and I had no problem with noise from that music. The City Council approved a change to the MCD license to allow outdoor music in November 2020 during the pandemic. I completely support the thinking that it would allow the business to stay open during the winter and draw customers during the depths of the COVID-19 pandemic emergency when indoor dining and music were prohibited. Over the 2020/21 winter MCD continued to have small local bands play outside occasionally with moderate sound equipment and although I could certainly hear it in our condo with the windows closed, I was willing to accept it as I understood the extraordinary circumstances for the situation.

However, indoor dining and music are no longer prohibited and the music situation at MCD has changed considerably. Since last winter, MCD has increased the number of concerts so that instead of once or twice a week, there is live music most nights of the week. The concerts are so loud that even with my windows closed I cannot hear my own music or television when the music is playing. Sound cancelling headphones do little to help since I can hear the band outside even with them on. The bass from the music often causes vibration of our windows and is unpleasant to experience. Needless to say, quiet conversation or sleeping is out of the question.

In addition, this summer (2021) MCD has had a "Summer Sunday Concert Series" featuring well known traveling music groups. These concerts are not limited to the space immediately outside their tasting room, but also cordon off a substantial portion of the adjacent large parking lot to provide seating for up to 100 people who pay \$20-\$50 a person to attend (see attachment 3 for photo of the expanded seating area). MCD contracted an outside event company to bring in professional quality stages and sound equipment for the Sunday concerts (see attachments 4a and b for photos of equipment in place). For the month of June and in early July, there were two concerts each Sunday, 3-5 and 6-8 or 9 pm. Since mid-July, they have had one evening

performance on Sunday from 6pm to 9 or 10pm. In addition to the 3-4 hours of concert, there is an hour or two before the concerts for sound checks and band warmups, also at loud volume. In many ways, MCD has transitioned from a distillery with music to a full-fledged music concert venue.

I walked down to MCD before one of the concerts in June to talk to the event coordinator and let him know that their music was extremely loud and causing problems. He offered sympathy and to let me into the concerts free, however there was no offer to lower the volume or limit the number of concerts. In her email of September 4, Councilor Ray urged us to reach out to Joseph Masters at MCD as he was interested in working with the community to mitigate future disturbances. I emailed him as soon as I received Councilor Ray's email and asked for a meeting, but have never heard anything back from him.

MCD, soon after this City Council meeting, has three scheduled events after a relative lull in their event schedule. Their October 3 concert group is advertised as "loud and unapologetic" and on October 10 there will be a multi-group, all-day "Flannel Jam" event. This event, when held previously, utilized the entire parking lot and had hundreds of people in attendance (see attachment 5 for a photograph of the dense crowd in the parking lot at the previous Flannel Jam). Given these events and MCD's lack of response to my request to meet, I am unconvinced that MCD is serious about wanting to mitigate disturbance of the community.

In summary, an outdoor music venue of this size and sound volume is not appropriate for Maine Craft Distilling's location surrounded by homes and condominiums. MCD is seriously disturbing the surrounding residential neighborhood and having adverse impacts on peoples' enjoyment of their own property. I urge the City Council to modify MCD's license to revoke the combined license and reissue an indoor entertainment license, thus limiting live music to only indoors in the tasting room with moderate sound equipment.

Thank you.  
Barbara Brown





Stage location

2,930,088.047 304,154.912 Feet

300ft

Attachment 1

City of Portland, DPS

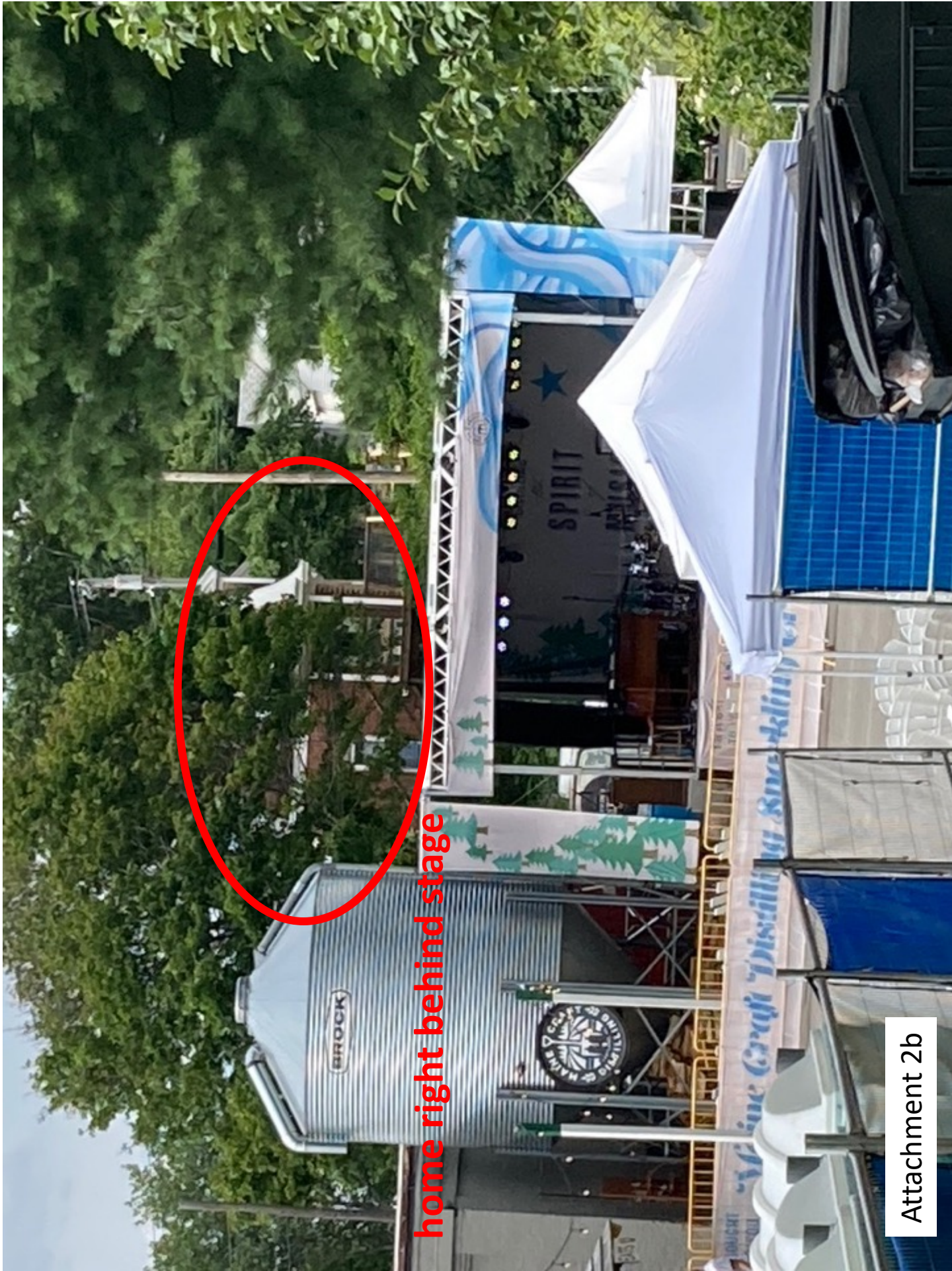
POWERED BY  
esri





Attachment 2a





home right behind stage

Attachment 2b



condos right above seating area







Attachment 3





Professional Sound System

Attachment 4a





Attachment 4b





Attachment 5

## Re: Maine Craft Distilling- 9/20/21-agenda item

Public Comment inbox



**Debby Murray** <debsterack@gmail.com>

Thu, Sep 16, 5:03 PM (22 hours ago)

to publiccomment@portlandmaine.gov

Dear Portland City Councilors and Mayor Snyder,

It's a beautiful Tuesday night in Portland. I have just finished dinner on our deck on North St, watched the news and settled down with a good book in our living room.

The buses whiz by and there's an occasional sound of a dog barking from the sidewalk out front.

But then I hear what I think is the radio, or maybe my neighbor's tv when I realize- it's Tuesday night at Maine Distilling. There will be music coming up the hill and into my home from whatever group is playing tonight. There will be no reading here tonight. I close my doors to the outside and move to the front of the house.

Our City taxes just rose significantly. We live in a gentrified neighborhood and those real estate values are reflected in our recent tax bill. Yet the city has seen fit to ignore the quality of life we have enjoyed for 7 years on the hill by issuing an entertainment license to the business below.

I look ahead and see that in two nights time we will be in the same boat. If bluegrass is as loud as I'm hearing it, Latin swing promises to be brutal. I'm already looking for another place to be on 9/26 when a group describing its music as "Loud" is playing.

My beef is not with Maine Craft Distilling . I understand that the city was trying to help businesses through the pandemic by offering them an entertainment license. But then state restrictions eased and a full concert venue had been born and it has lasted through the summer and into the fall. I have resisted speaking with MCD because I understand they are in compliance with noise restrictions. Also, I don't blame them for wanting to keep the concert business going- these concerts make money!

But. 104 North Street is my home. I am a thoughtful resident and neighbor who complies with city regulations . My husband and I pay taxes- a lot of taxes- and I expect some protection from this noise that the city has allowed to come into my back yard and living room.

Please consider not renewing this entertainment license. Keep the noise out of residential neighborhoods. Residents should not have to hunker behind closed doors, change outdoor plans and watch for the clock to strike 10 to rest easier.

Debby Murray  
104 North St  
Portland, Me 04101

# Testimony for September 20 City Council Meeting - Order 53-21/22

Public Comment inbox



**'Richard Zingarelli' via Public Comment** <publiccomment... to publiccomment 3:33 PM (1 minute ago)

Attached is my testimony on Order 53-21/22 for the City Council Meeting on Monday, September 20.

Thank you,  
Richard Zingarelli

September 20, 2021

Re: Order 53-21/22 Granting Approval of Maine Craft Distilling LLC renewal application for a Combined Entertainment License

Dear Mayor Snyder and City Council Members:

Thank you for the opportunity to comment on the renewal application for a Combined Entertainment License by Maine Craft Distilling (MCD). My name is Richard Zingarelli, and I live at 156 Sheridan Street, Unit 2C, in Portland, immediately adjacent to MCD. I am providing public comment today in opposition to renewal of MCD's combined entertainment license, specifically relating to outdoor music concerts.

In September 2017 the City Council approved MCD's license request for outdoor dining (4 picnic tables) and indoor dining (food and beverage) plus indoor music and dancing. These activities are fully

 **Zingarelli Testimo...** 



September 20, 2021

RE: Order 53-21/22 Granting Approval of Maine Craft Distilling LLC renewal application for a Combined Entertainment License

Dear Mayor Snyder and City Council Members:

Thank you for the opportunity to comment on the renewal application for a Combined Entertainment License by Maine Craft Distilling (MCD). My name is Richard Zingarelli, and I live at 156 Sheridan Street, Unit 2C, in Portland, immediately adjacent to MCD. I am providing public comment today in opposition to renewal of MCD's combined entertainment license, specifically relating to outdoor music concerts.

In September 2017 the City Council approved MCD's license request for outdoor dining (4 picnic tables) and indoor dining (food and beverage) plus indoor music and dancing. These activities are fully compatible with the surrounding neighborhood, which is predominantly residential except for commercial businesses along Washington Avenue. Any noise coming from those activities was consistent with normal city street noise, and to be expected in an urban residential area.

In November 2020 the City Council approved MCD for a Combined Entertainment License which permitted outdoor seating and entertainment in response to pandemic conditions. That application included a set of sound control procedures that MCD stated they would utilize to minimize the impact on the adjacent community.

Since the issuance of that license, however, rather than minimize the effect of their outdoor activities, MCD has expanded their activities to include live outdoor music several weeknights each week, along with a Sunday concert series. These Sunday concerts have included large professional sound systems and paid attendance of up to 100 people. The concerts are 2 to 3 hours long, typically from 6 to 9 pm, and in some cases have included a second set from 3 to 5 pm. Additionally, there has been an hour or two for sound checks and warmups by the band in the early afternoon that are as loud as the concerts.

MCD's outdoor music, especially the Sunday concerts, are so loud that they prevent almost any normal use of our condominium. During the concerts, even with all windows and doors closed, the music is so loud that we are unable to watch TV or listen to our own music in our living room. The bass from the music shakes the windows and causes vibrations throughout our unit. Many neighbors throughout the neighborhood have commented on their concerns regarding the noise from the concerts.

There is no indication that conditions will improve soon. MCD has scheduled a concert on October 3 where the initial line of the event listing describing the band is "Volume...Loud." On October 10 there is a "Flannel Jam" scheduled for the entire day with multiple bands. When last held, the Flannel Jam had multiple stages and filled the entire parking lot immediately below our condo with hundreds of attendees. It is enlightening to note that Flannel Jam is billed as a 3-day event held at multiple locations. The other two locations are a Fairgrounds in Marshfield MA and a brewery in Nantucket MA that is sited among many farms, neither being a dense residential area similar to MCD's location.

The sound control procedures proposed by MCD in the renewal application are the identical measures they included in last year's application, which they have largely not implemented throughout this past year. These procedures also do not appear to meet the requirements of a sound mitigation plan spelled out in Section 4-52(e) of the City Code of Ordinances. According to this section, the mitigation plan must be prepared by a professional and certified sound engineer and show details of the sound system and anticipated sound readings at numerous locations. MCD's proposal does not show any certification and provides few specifics on measures to be taken, instead listing many items to be incorporated "where possible." Additionally, MCD stated in the application that a telephone number would be provided for neighbors to make inquiries or complaints during or after each event; however, their website does not include a telephone number at all (never mind for complaints) and directs all correspondence to email only.

Issuing the combined license to allow outdoor entertainment last November was a reasonable accommodation for MCD to help sustain their business during pandemic conditions while indoor dining and entertainment were prohibited. However, those prohibitions are no longer in place and outdoor live music concerts are no longer necessary or appropriate for this neighborhood.

I request that the City Council deny the renewal application as submitted, and return MCD's license to indoor entertainment only. If for some reason the Council decides to allow MCD to continue to have outdoor concerts, I request that any renewal be issued with several conditions. MCD should be required to submit a sound mitigation plan that is compliant with Section 4-52(e) of the City Code of Ordinances. Reasonable limits should be established which reduce the number and length of concerts permitted, as well as sound levels allowed both on MCD's premises and at adjacent locations. Lastly, a sound monitoring plan should be established to ensure that the stated conditions are being met. One means to develop appropriate limits to incorporate into the license would be for MCD to host a community meeting so that they can hear neighbors' concerns and respond to them, rather than solely relying on the licensing process and submittal of formal testimony through that process.

MCD is a valued member of the community, providing an important service to the neighborhood and the city in general. They have stated their intent to be a good neighbor, and while they have indeed been a great neighbor in a number of other ways, such as producing hand sanitizer when it was hard to obtain, in my opinion they have not been a good neighbor when dealing with noise issues, and have not demonstrated an intent to do so in the future. I think the neighborhood would welcome the opportunity to work with MCD to develop a plan consistent with the character of the neighborhood and MCD's business plan.

Thank you.

Richard Zingarelli  
156 Sheridan Street, Unit 2C  
Portland, ME 04101

# Order 53-21/22 -- Maine Craft Distilling License Renewal

Public Comment inbox



**Mark Bookman** <mbookman24@gmail.com>  
to publiccomment

Fri, Sep 17, 8:27 PM (3 days ago)

Dear Members of the Portland City Council:

Thank you for the opportunity to comment on the renewal of the combined license for Maine Craft Distilling (MCD). My name is Mark Bookman and I live at 156 Sheridan Street Unit 1B in Portland. I am providing public comment today to ask you to modify MCD's combined entertainment license to allow only indoor live music. My condo is just above MCD's outdoor venue.

I believe that an outdoor music venue is not appropriate for MCD's location which is in the middle of a predominantly residential area. The excessively loud music coming from MCD's outdoor patio significantly and adversely affects our quiet enjoyment of our home. During outdoor music events at MCD we can not have quiet conversations, listen to our music, watch TV or sleep in our home. During outdoor shows, we can't have guests in our home because we have to shout to hear each other.

In light of all this, I urge the City Council to modify MCD's license to revoke the combined license and reissue an indoor entertainment license, thus limiting live music to MCD's indoor venue.

Thank you very much.

Respectfully,

Mark Bookman

# Noise Disturbance from MCD

External

Public Comment inbox



**Kate Connolly** <kconnolly@ketchaoutdoors.org>

Sun, Sep 19, 12:27 PM (23 hours ago)

to publiccomment, Thomas

Dear City Councillors,

My name is Kate Connolly and I live at 100 North St. in Portland. On behalf of myself and my family, I am writing with appreciation for your work and an appeal for your help.

We understand that your work is complex and that your decisions are often unavoidably contentious. We truly thank you for doing the hard work of this city. So with all due respect, for the first time since we bought our house on North St. in 1997, we are presenting a complaint and expressing furious opposition to a decision taken by the City Council.

The issuance of the entertainment permit to Maine Craft Distillery has caused a devastating loss for us. Much of the precious limited time we have on weekend afternoons and evenings with friends and family in our backyard has been taken from us. When the concerts are happening we cannot hold conversations without shouting over the music. The noise level from MCD completely destroys the usability of our outdoor space.

We do not expect silence, we love city living and all manner of reasonable city noise is completely acceptable - traffic, sirens, planes, dogs, kids, even non-amplified music that we can hear but doesn't overpower us are all fine. The concerts from MCD are so beyond these reasonable levels of noise that we're deeply shocked that it was ever permitted and outraged but resolute in our appeal that the council rescind, revoke, modify the permitting parameters, or do whatever it takes to restore our backyard to us.

Again, we thank you for your work and for your consideration of this plea for help.

Sincerely,  
Kate Connolly

# Comment on Maine Craft music license/ Order 53-21/22

Public Comment inbox



**Samantha Connelly** <sconnelly303@gmail.com>

Sun, Sep 19, 3:08 PM (21 hours ago)

to publiccomment

Dear City Councillors,

My name is Samantha Connelly of 7 Marion St. Portland. I am writing to ask that you do not renew Maine Craft Distilling's license to allow outdoor concerts. The music has been extremely loud and disruptive to the residential neighborhood surrounding Washington ave.

In our home, the music's volume dominates and it's hard to hear much else when they play. While I love live music, without a choice of whether and how long to listen, I feel at mercy to their schedule. At night, my husband and I turn on window fans to try and block it out as well as sleeping with noise cancelling headphones. We've avoided our backyard because it's hard to hear conversations or our own music. It's really been disruptive to our home and our lives over the past few years.

Please vote to not extend Maine Craft's entertainment license.

Thank you for your time and service to the community.

Sincerely,

Samantha Connelly  
7 Marion St, Portland, ME 04101

# MCD Entertainment License Order53-21/22

External      Public Comment inbox



**'mary morse' via Public Comment** <publiccom...      Sun, Sep 19, 8:35 PM (15 hours ago)  
to publiccomment, Mary

September 6, 2021

Dear Mayor Snyder and City Council Members:

We are troubled by the increasing number of inside and outside music venues in East Bayside and on Washington Ave. The noise levels and hours are unacceptable. Existing neighborhoods that were established well before these businesses moved in have suffered. Urban Farm Fermentory and Maine Craft Distillery that are applying for license renewal this month are only two businesses that generate noise complaints. Our issues are **not** with these businesses, per se, but with the City that has permitted the decibel levels, outdoor venues and hours that are of concern.

#### **Current Zoning**

These businesses are located in B2b, B5 and Industrial(I-Lb) zones surrounded by R6 zones. The maximum permissible decibel level (dBA) :

In R6 residential zones is 55 decibels

In B2b is 60 decibels (7AM-9PM) and 55 (9PM-7AM)

In B5 is 60 decibels (7AM-10PM) and 50 (10PM-7AM)

In Industrial I-Lb zone is 60 decibels (7AM-10PM) and 50 (10PM-7AM).

Entertainment licenses granted by the City far exceed these levels. For example, Maine Craft Distillery is permitted to decibels of 85 dbA and 95 dbC! It is difficult to understand why the established zoning parameters for sound can be so easily overridden in favor of much higher levels, especially when directly bordering a residential zone.

#### **Decibel Levels**

The dbA scale is a weighted measure for what you hear. 80-85 dbA is similar to a lawn mower. The dbC scale measures peak sound pressure for impulse noise such as bass. Bass is the most intrusive noise and is difficult to mitigate as it penetrates solid structures. Soundproofist (provides information on sound issues and interviews with experts in the field) says that levels of 70 dbC to a peak of 86.6 dbC is comparable to a loud motorcycle. Robert Andres Sr. CSP, CPE, DABFE, INCE who is a specialist in noise remediation recommends 70 dbA to 75 dbC as a realistic maximum for music venues that abut residential areas. What is currently allowed far exceeds this.

#### **Hours**

Maine Craft Distillery is open until 11PM. Urban Farm Fermentory can be opened until midnight during the week and 1AM on weekends.

#### **Complaint Response**

There have been numerous complaints called in and posted on Click Fix about noise from music venues like UFF and MCD. Of note, in business it is assumed that for every complaint received there are 25 customers who are also dissatisfied. The police logs do not yield much information as decibel levels are not listed nor do they state what was actually done. Some calls have no entries under call disposition. It would be helpful for residents and venues to have

this information. If the police received 2 separate calls from different individuals in 7 days or 5 calls over a 30 day period and they are verified the licensed establishment has to meet with the Sound Oversight Committee. The Sound Oversight Committee has not met in the past year. They have received no **verified** noise complaints. Glen McGary of the Committee does say in a 8/25/2021 email " We are very concerned about Maine Craft Distillery and have been conducting readings during their events."

#### **Recommendations**

We are frustrated by the City's position on noise and suggest that Belinda Ray and the City Councilors at Large meet with interested residents to develop recommendations for the Mayor and City Council on changes in the Noise Ordinances and Entertainment Licenses. We request more transparency about noise complaints that include what the complaint was about, decibel reading and the officer's response. We further request that **all** complaints be reviewed before licensing renewal. Lastly, abutters and interested parties should be given ample notice via mail prior to any license renewal hearing.

We cited UFF and MCD as their licenses are up for renewal this month but there are many more entertainment venues that are problematic due to permitted parameters. It is our hope that the Mayor and City Council will support the livability of our neighborhoods consistent with The Portland Plan and consider our recommendations in exploring this issue.

Thank you for your time and consideration,

Mary Morse 208 Sheridan St.

Robert Morse 208 Sheridan St.

Jan Piribeck 145 Anderson St. Unit 8

Patricia Flynn 9 Gould St.

Jennifer Girard 128 Sheridan St. with email comment:

**Hello,**

We live at 128 Sheridan Street. I have called the police ( non emergency number)about a dozen times this summer, possibly more. We are so upset about the concerts at Maine Distillery on Washington Ave. They have taken away so much joy, we had sitting outside enjoying our homes when we are off from work. When inside we literally have to turn the volume up on whatever we are listening to try and muffle the sounds that flow through our house. Our bedroom takes a direct hit from the sounds. I purchased the loudest air purifier I could find to have some white noise to counter the sound. It does not work. I



have health issues and often lay down early for a few hours or even go to bed early. It has made this impossible.

I love being in the City, city sounds are to be expected. This is completely unacceptable.

It is so sad, that enjoying a dinner on the deck is out of the question and my sleep is being disrupted.

It would be nice to enjoy my home during the short season of nice weather.

Please put a end to this.

Jennifer Girard

Jennifer & Michale Girard  
128 Sheridan St  
Portland, ME 04101

Michale Girard 128 Sheridan St.

Scott Tebbetts 145 Anderson St.

Mark Phillipson 145 Anderson St.

Carolyn Treat 41 Hammond St.

Chip Flanagan 41 Hammond St.

Leslie Hart 215 Sheridan St.

Kevin Hart 216 Sheridan St.

Yael Reinhartz 204 Sheridan St.

James Trainor 204 Sheridan St.



**mary morse**

Sun, Sep 19, 8:45 PM (15 hours ago)

to publiccomment@portlandmaine.gov

Dear Mayor and City Councilors:

I have already sent a letter with multiple signatures of residents adversely affected by the noise generated by



venues at MCD. I am sending you an attachment of a recent flyer that demonstrates MCD's disregard for the numerous noise complaints and their impact on our neighborhoods. There is a need for greater restrictions on decibel levels, hours and outside venues. Thank you, Mary Morse 208 Sheridan St.

Sent from my iPad

## Order 53-21/22- Maine Craft Distilling

Public Comment inbox



**Rhonda Green** <rhondagreen88@gmail.com>

Sun, Sep 19, 9:35 PM (14 hours ago)

to publiccomment

I would like to offer up the full support of this license renewal for Maine Craft Distilling.

The music selections are diverse and all tasteful ( nothing offensive), the noise level is reasonable and the set up and break down of the staging is well organized and done efficiently.

The music provided is enjoyed by MANY and my husband and I would love to see this continue. We live right next to the Distillery and are totally in full support of renewing their entertainment license.

Rhonda and Ron Green  
156 Sheridan Street , Unit 1A

Sent from my iPhone

## Written comment on MCD license renewal

Public Comment inbox



**Tess Van Horn** <tess.vanhorn@gmail.com>

10:07 AM (2 hours ago)

to publiccomment

Dear City Councillors,

My name is Tess Van Horn and I live at 17 Marion St in Portland with my partner Jonas Eule. We are writing to ask that you change Maine Craft Distilling's license to not allow outdoor live music concerts. The music from the Distillery has been extremely loud and disruptive to the residential neighborhood that we live in.

From where we live the loud music during the large Sunday afternoon concerts, as well as the nightly outdoor shows, can be heard throughout the entire house. At times the bass has even vibrated the windows and floors. This music is invasive, disruptive to our lives and very stressful. If myself or a family member were sick we would not get any rest despite all windows being shut with noise machines on.

Additionally my partner and I are trying to start a family and it is hard to imagine being able to live in this house with a newborn if the outdoor shows were to continue. We are owners of this property and are invested in this neighborhood.

Please vote **to not allow Maine Craft Distilling to conduct live music outside.**

Thank you.

Tess Van Horn & Jonas Eule  
17 Marion Street  
Portland, Maine  
*she/her/hers*

## Order 53-21/2 Maine Craft Distilling entertainment license – public comment in favor

Public Comment inbox



**kelley erickson** <ericksonimaging@gmail.com>  
to publiccomment

10:18 AM (2 hours ago)

**Order 53-21/22 Granting Municipal Officers' Approval of Maine Craft Distilling LLC dba Maine Craft Distilling. Renewal application for a Combined Entertainment License at 123 Washington Ave. - Sponsored by Jon P. Jennings, City Manager**

.....

### **Written Public Comment:**

Hello,

I am writing in favor of Portland's City Council granting renewal of Maine Craft Distilling's Entertainment License.

The distillery abuts a residential neighborhood, and the building where I live, and naturally there will be sound from people gathering and/or music (concert, live acoustic or over speakers). I feel the music at the Distillery is tasteful, enjoyable and quiet at reasonable hours (in the summer, on Sundays around 9pm & other days around 10-11pm). Hopefully these types of thoughtful actions continue, and continue to be of mutual benefit.

Thank you,

Kelley Erickson

156 Sheridan St., Portland, ME 04101

# Order 53-21/2 Maine Craft Distilling entertainment license - public comment in favor

Public Comment inbox



**Bill Rasmovicz** <brasmovicz@gmail.com>  
to publiccomment

10:41 AM (1 hour ago)

## **Order 53-21/22 Granting Municipal Officers' Approval of Maine Craft Distilling LLC dba Maine Craft Distilling. Renewal application for a Combined Entertainment License at 123 Washington Ave. - Sponsored by Jon P. Jennings, City Manager**

Hello,

I am writing in favor of Portland's City Council granting renewal of Maine Craft Distilling's entertainment license.

I reside directly behind the distillery and have enjoyed what the distillery brings to Portland culturally, provided the sound levels are maintained at adequate levels and the timeframe in which music occurs is reasonable (9pm?).

As a side note, I will add that the noise from Fort Sumner park in the summer is far more problematic with multiple groups of people laughing, shouting and hollering all night long. Also, it has been the perch from which at least four times this past summer, rocks have been launched at our building, damaging cars and smashing windows.

Thank you,  
Bill Rasmovicz  
156 Sheridan St.  
Portland, ME 04101

# MCD Entertainment License - Opposition

Public Comment inbox



**Sarah Coburn** <sarahbcoburn@gmail.com>

11:07 AM (1 hour ago)

to publiccomment

Dear City Counselors,

My name is Sarah Coburn and I live and own the single family home located at 105 Walnut Street. I am writing to oppose any license issued to MCD which would allow it to conduct outdoor music. The outdoor music at MCD significantly interferes with the use and enjoyment of our residential property. During any of the MCD concerts, the music is loud, pervasive and disruptive both in our backyard and inside our house, even with the windows closed. During most concerts, I cannot sit in my backyard and have a quiet conversation, and inside, if we play music it competes with that from MCD. Even though the stage faces away from Walnut Street and toward Marion Street, we are still subject to the thumping base sounds, vocals and amplified music consistent with outdoor concerts. When MCD has its concerts, the venue operates more akin to the Maine Pier once did rather than a restaurant and distillery. The residents of the surrounding community should not be subjected to the noise pollution generated by a concert venue.

The B2B zoning prohibits loud businesses such as outdoor kennels for veterinarians and requires careful consideration for drive through establishments. I note for the Counsel, that although MCD borders B2B zoning on three sides, there is R-6 residential zoning immediately to the north of the property. In addition, the R-6 zoning on Walnut Street is well within the zone in which the sound from the concerts travels. There is concern for the noise pollution commercial activity can generate in the B2B zoning and we would ask the same concern be applied to the issuance of an entertainment license for outdoor music.

Please vote to reject any license which would allow MCD to conduct outdoor music.

Sarah Coburn  
105 Walnut Street



From: **Patricia Flynn** <[pflynnla@yahoo.com](mailto:pflynnla@yahoo.com)>

Date: Wed, Sep 8, 2021 at 1:21 PM

Subject: Petition Calling For Noise Protections

To: [ksnyder@portlandmaine.gov](mailto:ksnyder@portlandmaine.gov) <[ksnyder@portlandmaine.gov](mailto:ksnyder@portlandmaine.gov)>, Belinda Ray

<[bsr@portlandmaine.gov](mailto:bsr@portlandmaine.gov)>, [nmm@portlandmaine.gov](mailto:nmm@portlandmaine.gov) <[nmm@portlandmaine.gov](mailto:nmm@portlandmaine.gov)>, [pali@portlandmaine.gov](mailto:pali@portlandmaine.gov) <[pali@portlandmaine.gov](mailto:pali@portlandmaine.gov)>, [sthibodeau@portlandmaine.gov](mailto:sthibodeau@portlandmaine.gov) <[sthibodeau@portlandmaine.gov](mailto:sthibodeau@portlandmaine.gov)>, [tchong@portlandmaine.gov](mailto:tchong@portlandmaine.gov) <[tchong@portlandmaine.gov](mailto:tchong@portlandmaine.gov)>, [azarro@portlandmaine.gov](mailto:azarro@portlandmaine.gov) <[azarro@portlandmaine.gov](mailto:azarro@portlandmaine.gov)>, [mdion@portlandmaine.gov](mailto:mdion@portlandmaine.gov) <[mdion@portlandmaine.gov](mailto:mdion@portlandmaine.gov)>, [afournier@portlandmaine.gov](mailto:afournier@portlandmaine.gov) <[afournier@portlandmaine.gov](mailto:afournier@portlandmaine.gov)>, Jon Jennings <[jpj@portlandmaine.gov](mailto:jpj@portlandmaine.gov)>, Jessica Grondin <[jgrondin@portlandmaine.gov](mailto:jgrondin@portlandmaine.gov)>, Jessica Hanscombe <[jhanscombe@portlandmaine.gov](mailto:jhanscombe@portlandmaine.gov)>

To Members of the Portland City Council:

Please review our attached petition calling for amendments to existing and future Entertainment Licenses issued for Venues in East Bayside and Lower Munjoy Hill. Our requests include meaningful changes to permitted hours of operation, as well as significantly lower thresholds for dbA and dbC levels. So far we are submitting 31 signatures, with more on the way.

The noise issue has been a problem in our neighborhood for a long time now, and many residents here support swift and meaningful action by the Council that acknowledges the scope and repercussions of the problem.

Sincerely,  
Patricia Flynn  
9 Gould Street  
773-1560

On Mon, Sep 20, 2021 at 10:06 AM Patricia Flynn <[pflynnla@yahoo.com](mailto:pflynnla@yahoo.com)> wrote:

To Members of the Portland City Council:

Our ongoing petition calling for noise protections for the residential neighborhoods of East Bayside / Lower Munjoy Hill **has grown significantly to include a total of 60 signatures**, please see attached.

We request meaningful amendments to the Entertainment Licenses issued here, as well as to the Zoning Code. We request that the City address in a decisive way the increasingly intrusive nature of the loud and late concerts and parties next to our homes. These events are becoming more numerous, and continue to push the boundaries of the City's stated goals for low-impact business uses here that are compatible with the large, dense residential areas immediately adjacent.

We support swift and meaningful action that acknowledges the scope and repercussions of the problem.

Sincerely,  
Patricia Flynn  
9 Gould Street  
773-1560

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** September 9, 2021

**SUBJECT:** Order 45-21/22 Traffic Schedule Amendment Re: Closing Dana, Wharf and Part of Milk Street to Through Traffic - Sponsored by Jon P. Jennings, City Manager

**SPONSOR:**

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading** **Final Action**

**Can action be taken at a later date: No (If no why not?)**

**PRESENTATION:** (List the presenter(s), type and length of presentation)

**I. SUMMARY**

**II. AGENDA DESCRIPTION**

On August 31, 2021, the Housing & Economic Development Committee (HEDC) voted unanimously (4-0) to forward the proposal to close Dana Street, Wharf Street, and one block of Milk Street (between Market and Exchange) to through traffic to the full Council for approval.

These recommendations are part of Open Air Portland, a program developed to support increased pedestrian, bicycle, and business activity outdoors. Additional information, including information requested by HEDC on August 31, is included in the agenda packet.

In developing the program, staff collected feedback from various external stakeholders. Regarding the closure of Dana, Wharf, and part of Milk Street to vehicle traffic, 81% of respondents said it was a "good idea", 8% said it was a "bad idea", and 11% said they were "unsure". More survey results and program details are included in the backup materials.

This item must be read on two separate days. It received its first reading on September 8, 2021. Five affirmative votes are required for passage after public comment.

**III. BACKGROUND**

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

**V. FINANCIAL IMPACT**

**VI. STAFF ANALYSIS AND BACKGROUND**

Staff Analysis and Background that will not appear in the Agenda Description.

**VII. RECOMMENDATION**

**VIII. LIST ATTACHMENTS**

1. Dana, Wharf and Milk Street Closures - Traffic Schedule Amendment 9.8.2021
2. Info as Requested by HEDC
3. Open Air Portland Memo and Presentation

Prepared by:

Date: 09/09/2021

KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW ZARRO (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

MARK DION (5)  
APRIL D. FOURNIER(A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**TRAFFIC SCHEDULE AMENDMENT  
RE: CLOSING DANA, WHARF, AND PART OF MILK STREET TO THROUGH  
TRAFFIC**

**ORDERED**, that the City of Portland's Traffic Schedule be and hereby is amended as follows:

**By Adding under Wharf Street, from a point 0 feet west of the west side of Moulton Street to a point 0 feet east of the east side of Union Street:**

➤ **Schedule XXIV – No Thru Traffic**

**By Adding under Dana Street, from a point 0 feet south of the south side of Fore Street to a point 0 feet north from the north side of Commercial Street:**

➤ **Schedule XXIV – No Thru Traffic**

**By Adding under Milk Street, from a point 0 feet west of the west side of Market Street to a point 0 feet east of the east side of Exchange Street:**

➤ **Schedule XXIV – No Thru Traffic**



## CITY OF PORTLAND

Jon P. Jennings, City Manager

**To:** Mayor Kate Snyder and Portland City Councilors  
**From:** Dena Libner, Chief of Staff  
**Date:** September 1, 2021  
**RE:** Additional Open Air Portland Information

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At the August 31, 2021 Housing & Economic Development Committee meeting, councilors asked for additional information to be shared in response to specific questions about the proposed Open Air Portland program. That information is provided below:

### **1. How does closing streets to through traffic impact business accessibility?**

The proposed closure of Dana, Wharf, and one block of Milk does not change their status with regard to ADA compliance. Specifically, no accessible parking spaces will be removed from total supply as a result of their closure to through traffic, and sidewalks will remain open and accessible. In addition, there is no current requirement for a passenger loading zone in this area and therefore no need to create or maintain one.

Since the temporary street closures began in June 2020, staff have not received complaints related to accessibility challenges on those streets.

### **2. How does the closing streets to through traffic affect parking space supply?**

According to a [2017 Parking Study](#), there are 2,059 on-street parking spaces in the Downtown/Old Port/Central Waterfront area (defined in Figure 1 as zones 1-6). When surface lots and garage spaces are taken into account, the total parking capacity in that area is 13,634.

The proposal to close these streets to through traffic would remove approximately 20<sup>1</sup> parking spaces from the supply: less than 1% of the total on-street parking supply in this area, or 0.15% of total capacity.

Parking may also be reduced through the issuance of parklet licenses. Currently, there are 37 active parklet licenses throughout the City, constituting approximately 52 parking spaces. Staff believe that, based on recent survey results, the demand for parklet licenses will decrease when application fees increase.

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<sup>1</sup> Eleven (11) spots would be removed on Dana and nine on Milk.



**Figure 1: The Study Area Boundary and Subareas**

**Table 1: Description of Subarea Zones**

| Zone         | Location           | Area (acres) | Dividing Streets Within the Study Area                                                        |
|--------------|--------------------|--------------|-----------------------------------------------------------------------------------------------|
| 1            | Downtown/Old Port  | 63.7         | North of Spring St, West of Preble St, West of Center St.                                     |
| 2            | Downtown/Old Port  | 49.8         | North of Spring St/Middle St, East of Center St, East of Preble St.                           |
| 3            | Downtown/Old Port  | 32.7         | South of Spring St, West of Union St, North of Commercial St.                                 |
| 4            | Downtown/Old Port  | 30.3         | South of Spring St/Middle St, East of Union St, North of Commercial St., West of Franklin St. |
| 5            | Central Waterfront | 58.5         | South of Commercial St, Hobson's Wharf to Long Wharf.                                         |
| 6            | Central Waterfront | 40.5         | South of Commercial St, Long Wharf to Maine State Pier.                                       |
| 7            | Eastern Waterfront | 52.6         | East of Franklin St, Bounded by Fore St and part of Middle St to the North.                   |
| <b>Total</b> |                    | <b>328.1</b> |                                                                                               |



**CITY OF PORTLAND**  
**Executive Department**  
**Jon P. Jennings, City Manager**

**To:** Housing & Economic Development Committee Members  
**From:** Dena Libner, Chief of Staff  
**Date:** August 20, 2021  
**RE:** Open Air Portland (Permanent Outdoor Retail/Dining Modifications)

---

Outdoor dining and retail during the pandemic was a lifeline for many businesses, and staff anticipates that many will continue to be interested in expanded outdoor operations.

A temporary festival was established in June 2021 to allow the program to continue in its current form until November 2021. Staff recommend implementing a program, Open Air Portland, to permanently adopt certain aspects of the pandemic-era outdoor dining and retail program after the festival order expires.

Open Air Portland recommendations are as follows:

1. Remove the cap on parklets
2. Permanently allow businesses to apply for up to two adjacent parklets
3. Temporarily lower the parklet permit application fee and evaluate annually
4. Remove certain parklet eligibility criteria
5. Close Dana Street, part of Milk Street, and Wharf Street to thru-traffic

More details on each recommendation are enclosed, along with the results of an August 2021 survey that helped to inform this program.



1. Recommendation: Remove the citywide parklet cap (does not require Council action)

When the Council amended Section 25-27 of City Code in 2018 to permit parklets, the City Manager established a cap of five (5) parklets citywide. Although only one business had applied for a parklet permit prior to the pandemic, it is possible that demand will increase given the experiences of businesses over the past 15+ months. **Staff plan to remove the citywide parklet cap to ensure that any business interested in continuing parklet usage can be accommodated.**<sup>1</sup> While nearly 60 parklets were permitted in 2020, our expectation is that an increase in permitting fees (see recommendation 3) and businesses' ability to serve customers indoors will effectively manage demand.

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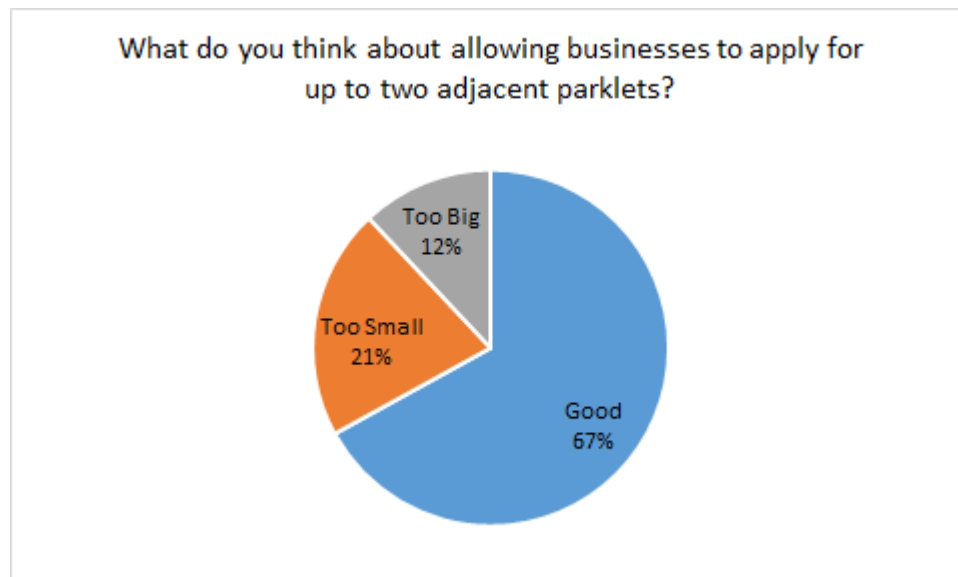
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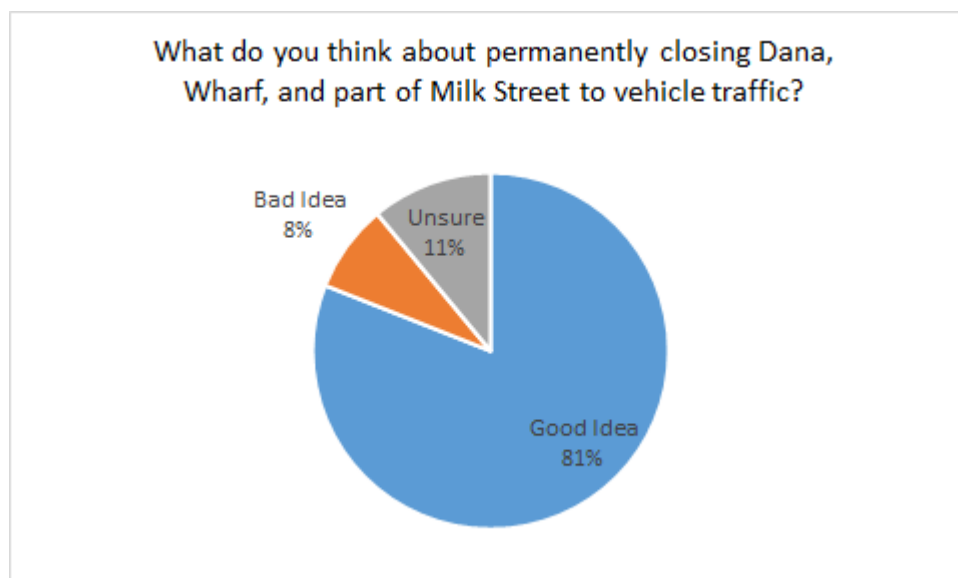
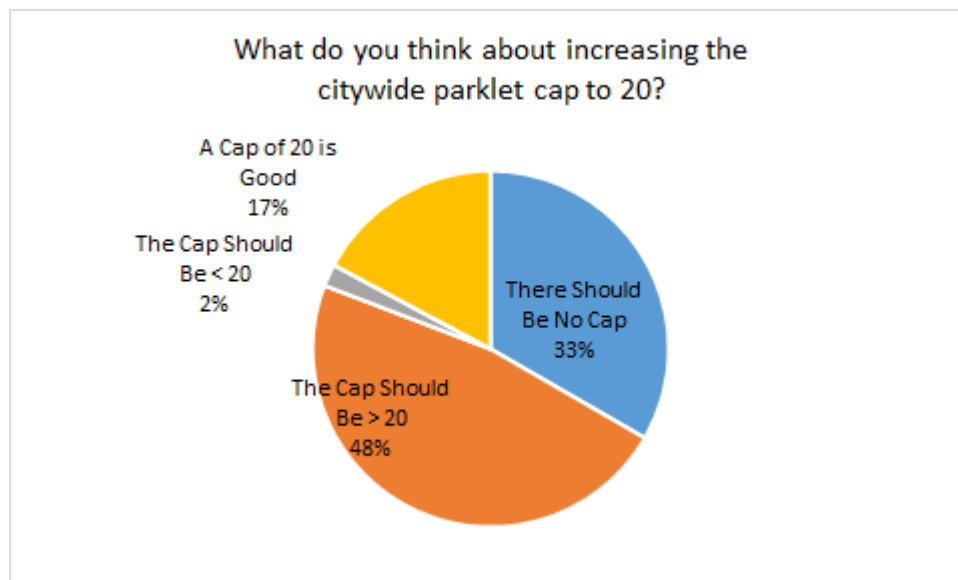
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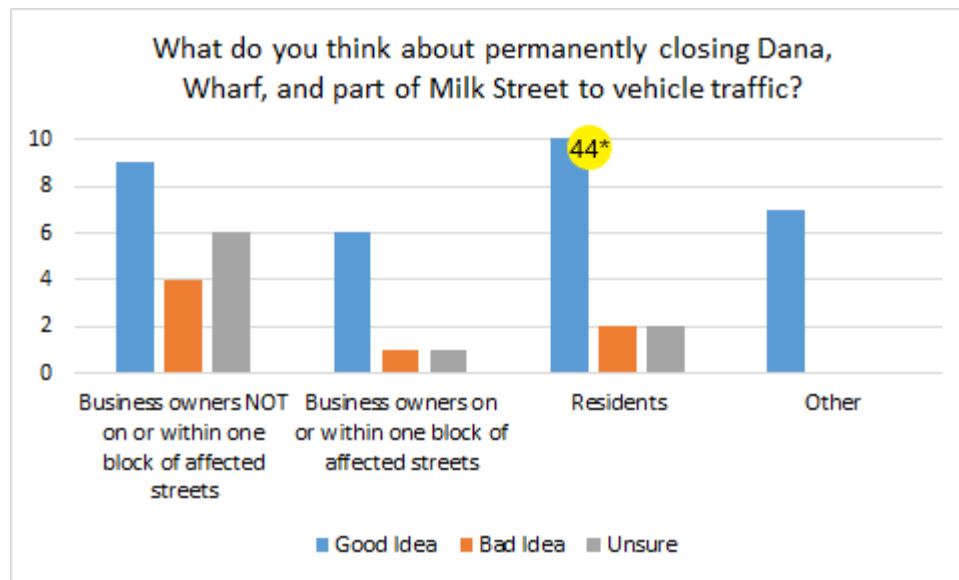
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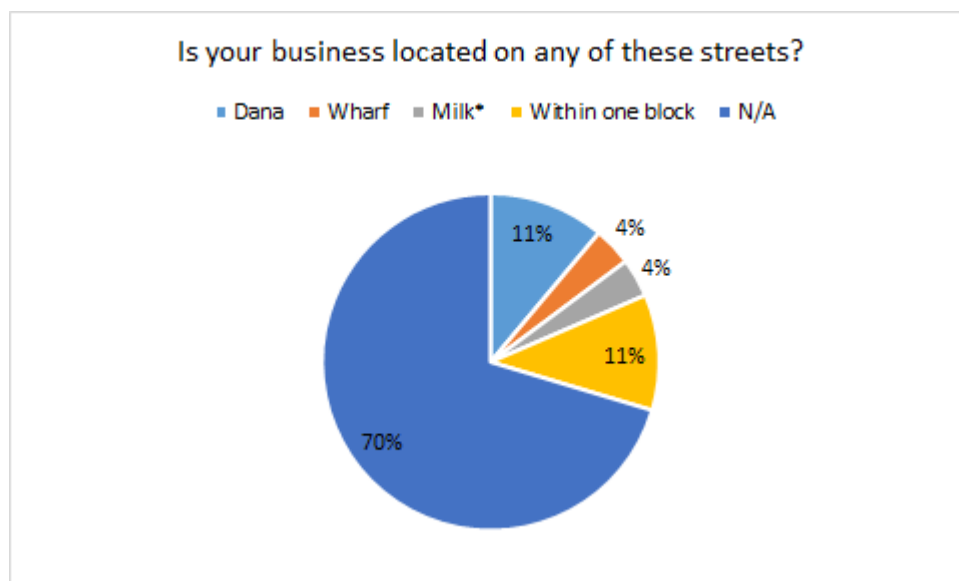






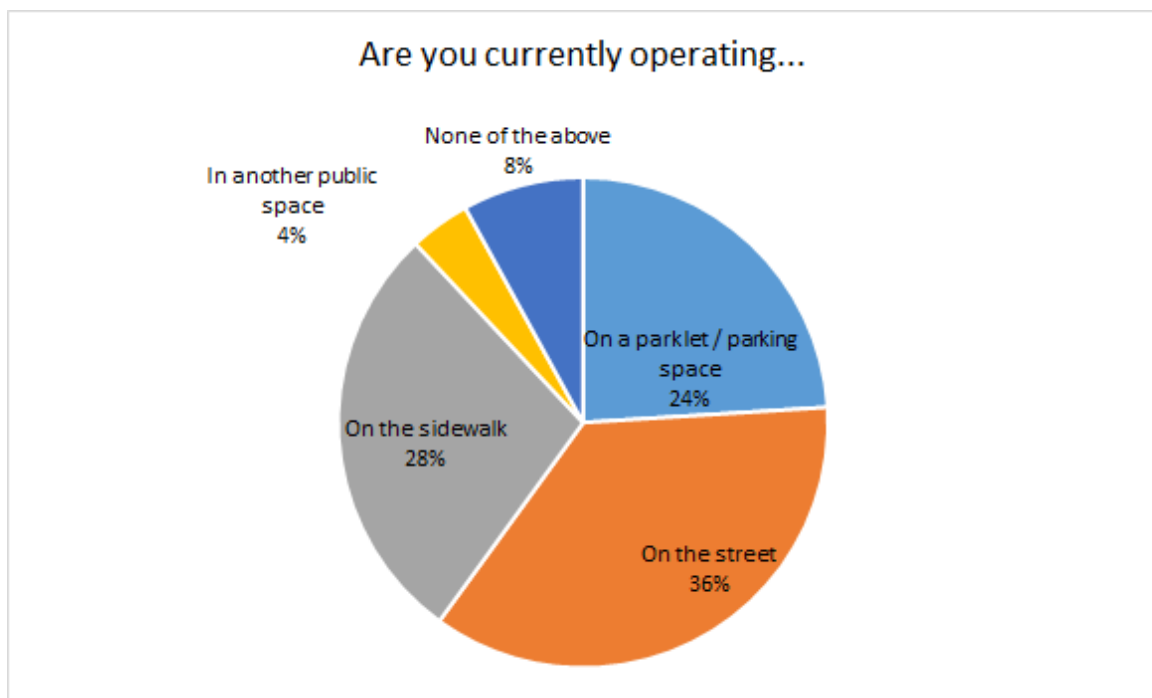
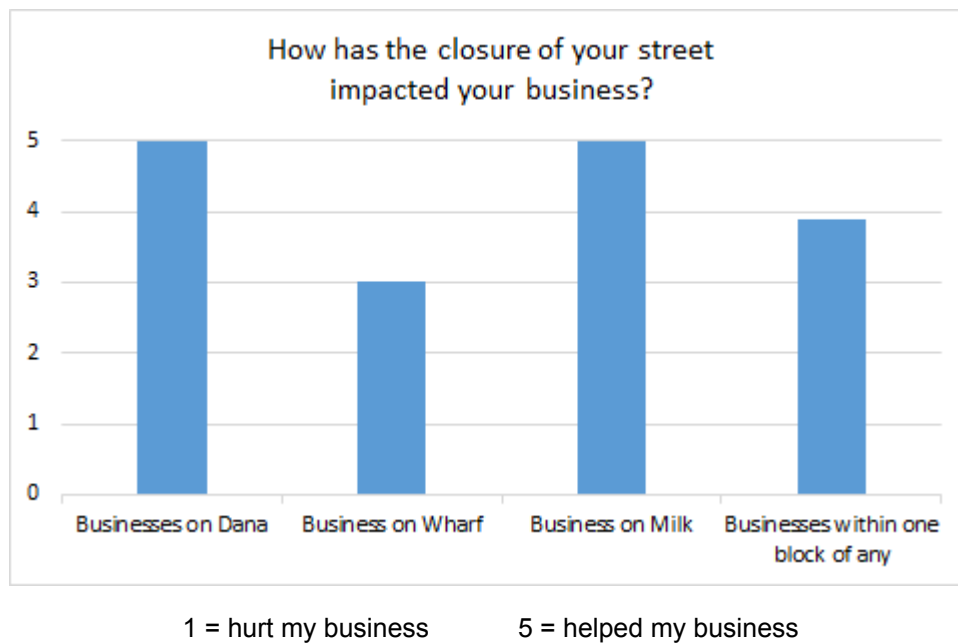
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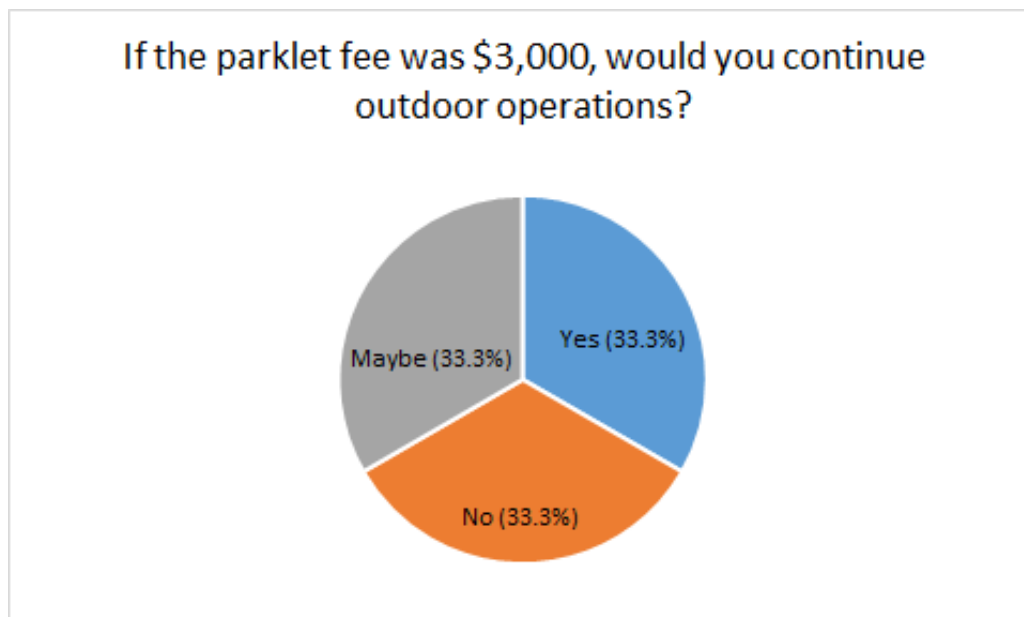
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Note: This question was limited to the six businesses currently operating in a parklet or parking space, representing 16% of total businesses licensed to do so.

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“Our customers, and vistors to the city, in general, love the look of Milk Street being closed. Our restaurant could not have survived the pandemic without the seating on Milk Street. We believe this closure adds value to the city as well. Milk Street, in particular, does not take away many parking spaces, as many were commercial anyway. Additionally it is a small street with limited access. Finally, we think it is important for cities to have pedestrian only streets. There are many cities that have done this for years, with much success. Thank you for considering this.”

“Traffic in the Old Port has always been challenging. Permanently closing these streets will make it significantly worse.”

“It would allow a safe business/dining district in a historic area much like St. Augustine FL and others that make for a safe walkable downtown with mixed use destinations.”

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"My only concern in general is ADA accessibility and sidewalk navigability being maintained through all of these outdoor dining options. It is really frustrating to not be able to navigate sidewalks but I fully support reducing cars on the peninsula and spreading dining opportunities into the street."

"These are short cobblestone streets that have never had much traffic. Pre-pandemic, Wharf Street would often be closed to cars anyway. I believe closing these streets to cars would not have much (if any) effect on traffic flow or parking availability, and it would provide open-air, people-centered gathering spaces benefitting pedestrians as well as local businesses."

"Downtown should be more walkable! Most cities are set up this way."

"I am in strong support of the permanent closure of these streets to vehicular traffic. Many downtown and Old Port streets see unnecessary vehicle traffic (especially people looping around looking for parking), which creates conflict with the heavy pedestrian traffic they see. Given how small downtown and Old Port are, we should be reducing the areas where vehicles can travel, as pedestrian and bicycle travel, along with outdoor business operations are a much more effective use of the space."

"Love the pedestrian area there, and close Exchange st between Middle and Fore again while you're at it."

These tiny one ways with 6 parking spots are way more useful as pedestrian and commercial areas. Subsidize the tenants' parking in nearby lots to minimize the impact on them and let's get that open air market energy going again that rocked."

"More streets should be permanently closed to cars, especially in areas originally not meant for cars, with an increased public transportation infrastructure to make it more accessible to people who can't get around easily and can't drive or bike"

"This would be such a great move for the town to have walkable areas. Makes it more of a destination, and pretty to hang out. No need for cars there!"

"These streets are so silly to drive down anyways, make them for pedestrians only!"

"Locals have already lost so many parking spots, why take away more?"

"Small streets that were never designed to have cars on them should remain car free."

"I don't think it negatively affected traffic flow"

"Consider other pedestrian-only streets, or an entirely pedestrian-only zone (perhaps a square bounded by Exchange, Fore, Silver and Middle where the interior streets are all pedestrian-only)"

"also encourage and step up outreach on where cars should go and park, such as satellite parking, as to prevent 'circlers' and congestion in the downtown district"

"I've really enjoyed these closures, and think they should be expanded."

"I favor more use of our public space as public space and not exclusively reserved for cars and parking. Let's look for more opportunities to create common spaces from underutilized or redundant streets."

"I havent noticed any problematic traffic problems when I go downtown since the street closures."

"Either make this available for everyone or no one because it isn't fair that only the trendy get the benefit. Not fair at all."

“Allow for small vendors like food trucks in and add more pedestrian friendly infrastructure like benches, trees and bus stops. Making sure the surface is friendly for the elderly and baby strollers would be amazing as well!”

“The more we can shift the allocation of space to people rather than their vehicles, the better!”

“Love the outdoor dining expansion and greater access for pedestrians.”

“It is so much more comfortable, safe, and enjoyable to be able to sit outside a restaurant and not have honking and car fumes. I have spent a lot more time in Old Port since the street became public usage!”

“Much safer for pedestrians, cyclists, cars — just better for everyone”

“As long as truck deliveries are still allowed at off-peak hours, there is nothing wrong with closing these streets to passenger traffic.”

“Cities should be built for people. There is no reason for cars on those small downtown streets.”

# Open Air Portland

Helping More Happen Outdoors



# Program Background

- March 12, 2020: First COVID-19 case reported in Maine.
- March 18, 2020: Governor Mills issued an executive order that closed all bars and restaurants to dine-in customers, but allowed take-out, delivery, and drive-through to continue.
- March 24, 2020: Portland City Manager issued a stay-at-home order beginning on March 25 for all non-essential businesses.
- March 30, 2020: Portland City Council renewed and amended the emergency order.
- May 18, 2020: The Council amended the emergency order to grant the City Manager the authority to temporarily close streets, as well as establish and expand outdoor commercial premises, in conjunction with Governor Mills' *Restarting Maine's Economy* plan.
- June 1, 2020: The pandemic-era program launches. While some changes to the program are made over time, it is currently scheduled to continue until November 1, 2021.



# Program Evolution

|                            | Pre-Pandemic                                                                                                                     | Pandemic Era                                                                                                                                                                                                  |
|----------------------------|----------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Parklet Regulations</b> | <ul style="list-style-type: none"> <li>• Citywide cap</li> <li>• Eligibility restrictions</li> <li>• One per business</li> </ul> | <ul style="list-style-type: none"> <li>• No cap</li> <li>• Fewer eligibility restrictions</li> <li>• Two per business</li> </ul>                                                                              |
| <b>Parklet Fees</b>        | \$5,520 application fee                                                                                                          | \$1,092 application fee                                                                                                                                                                                       |
| <b>Street Closures</b>     | None                                                                                                                             | <ul style="list-style-type: none"> <li>• Exchange (2020 only)</li> <li>• Dana</li> <li>• Wharf</li> <li>• Milk (reduced in 2021)</li> <li>• Boothby Square (2021 only)</li> <li>• Middle (partial)</li> </ul> |
| <b>Seasonality</b>         | Outdoor business activity permitted April - November                                                                             | Outdoor business activity permitted all seasons                                                                                                                                                               |



# Program Evaluation

- July 2020: Exchange Street Closure Performance Evaluation
- October 2020: Outdoor Winter Dining/Retail Survey
- January 2021: Outdoor Dining & Retail Program Feedback
- August 2021: Open Air Program Survey



# Open Air Portland

|                            | Pre-Pandemic                                                                                                                   | Pandemic Era                                                                                                                                                          | Open Air <b>Portland</b>                                                                                                                           |
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Timing: Open Air Portland would be implemented after the current festival order ends.

\* While Open Air Portland includes the permanent, year-round closure of certain streets, business activity on those streets will be permitted from April to November only. Staff is happy to reevaluate this moving forward.





Questions?  
Feedback?



KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW ZARRO (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

MARK DION (5)  
APRIL D. FOURNIER(A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**AMENDMENT TO PORTLAND CITY CODE CHAPTER 25  
Re: PARKLET FEE REDUCTION**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,  
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

*1. That Section 25-27 is hereby amended to read as follows:*

**Sec. 25-27. Fees and fines.**

(a) The following fees are hereby established for the issuance of a revocable street and sidewalk occupancy permit:

...

(b) The following fees are hereby established for the issuance of a revocable outdoor dining permit:

- (1) Outdoor dining on sidewalks or public ways other than dedicated City parking spaces, eighty-four dollars (\$84.00) plus two dollars (\$2.00) per square foot of dining area per fiscal year or any portion thereof.

...

- (3) Outdoor dining in one dedicated City parking spaces, ~~\$5,520~~\$3,000 for a full season (April 15-October 31).

- (4) Outdoor dining in two consecutive dedicated City parking spaces, \$5,000 for a full season (April 15-October 31).

(c) The following violation fines are hereby established for the failure to obtain a street occupancy permit or follow an approved management plan for vehicle traffic and/or pedestrian detours:

...



**CITY OF PORTLAND**  
**Executive Department**  
**Jon P. Jennings, City Manager**

**To:** Housing & Economic Development Committee Members  
**From:** Dena Libner, Chief of Staff  
**Date:** August 20, 2021  
**RE:** Open Air Portland (Permanent Outdoor Retail/Dining Modifications)

---

Outdoor dining and retail during the pandemic was a lifeline for many businesses, and staff anticipates that many will continue to be interested in expanded outdoor operations.

A temporary festival was established in June 2021 to allow the program to continue in its current form until November 2021. Staff recommend implementing a program, Open Air Portland, to permanently adopt certain aspects of the pandemic-era outdoor dining and retail program after the festival order expires.

Open Air Portland recommendations are as follows:

1. Remove the cap on parklets
2. Permanently allow businesses to apply for up to two adjacent parklets
3. Temporarily lower the parklet permit application fee and evaluate annually
4. Remove certain parklet eligibility criteria
5. Close Dana Street, part of Milk Street, and Wharf Street to thru-traffic

More details on each recommendation are enclosed, along with the results of an August 2021 survey that helped to inform this program.

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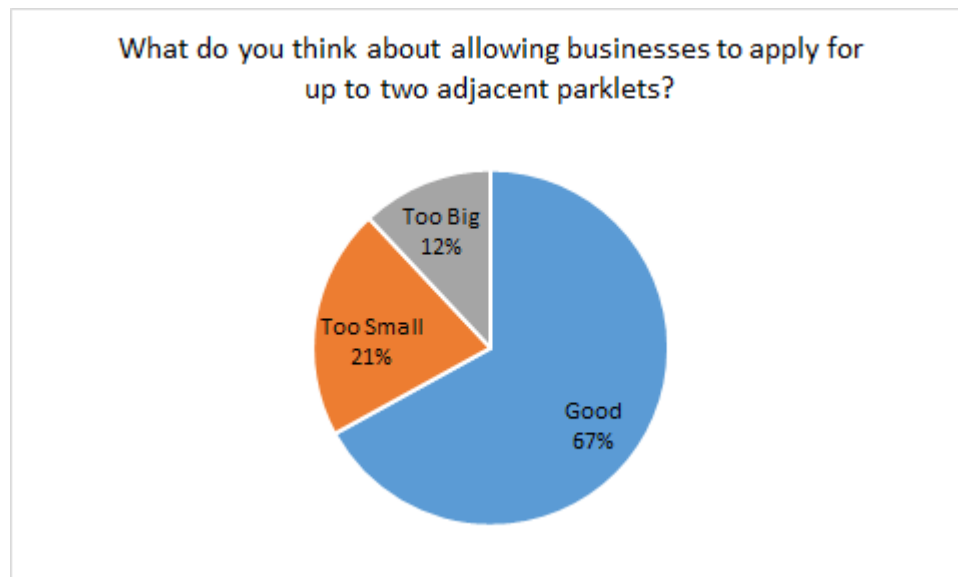
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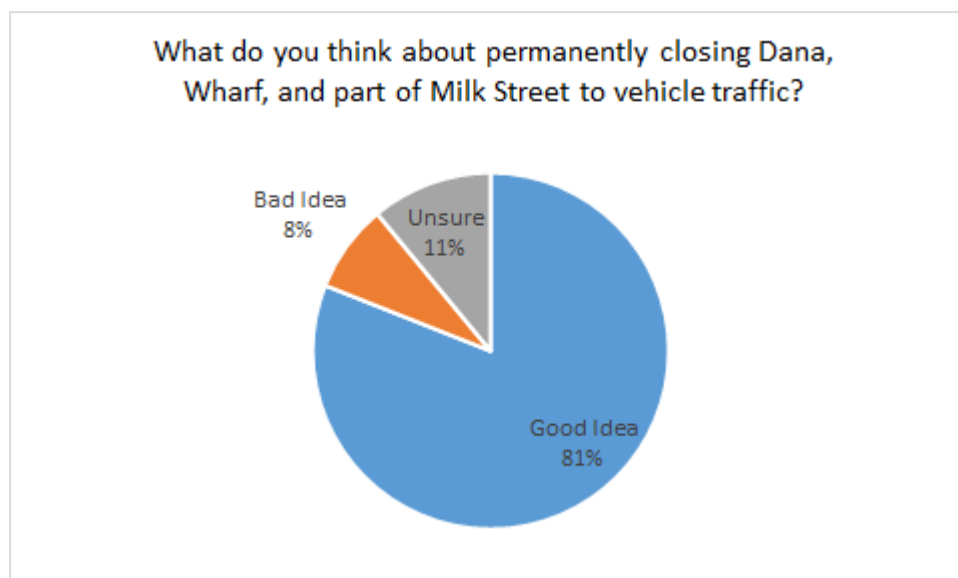
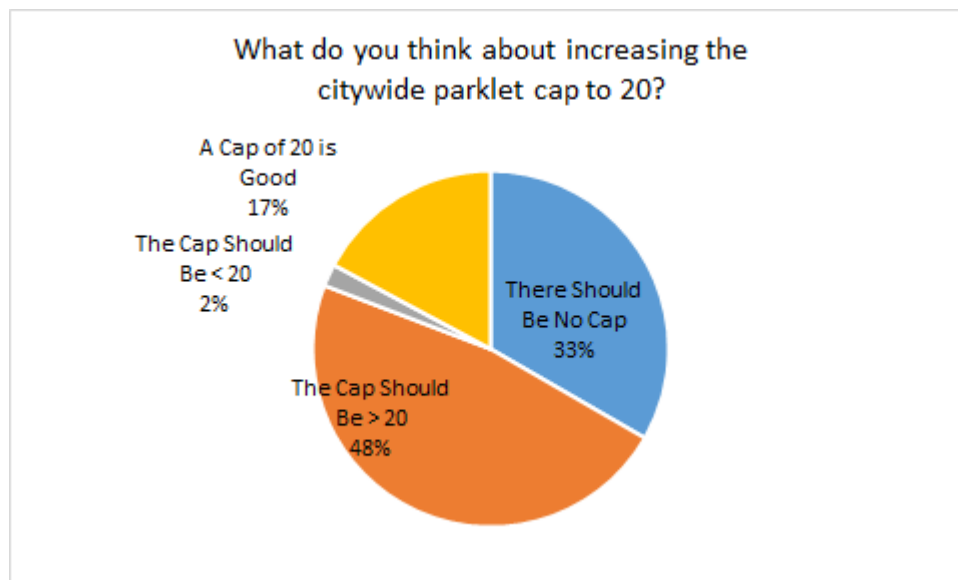
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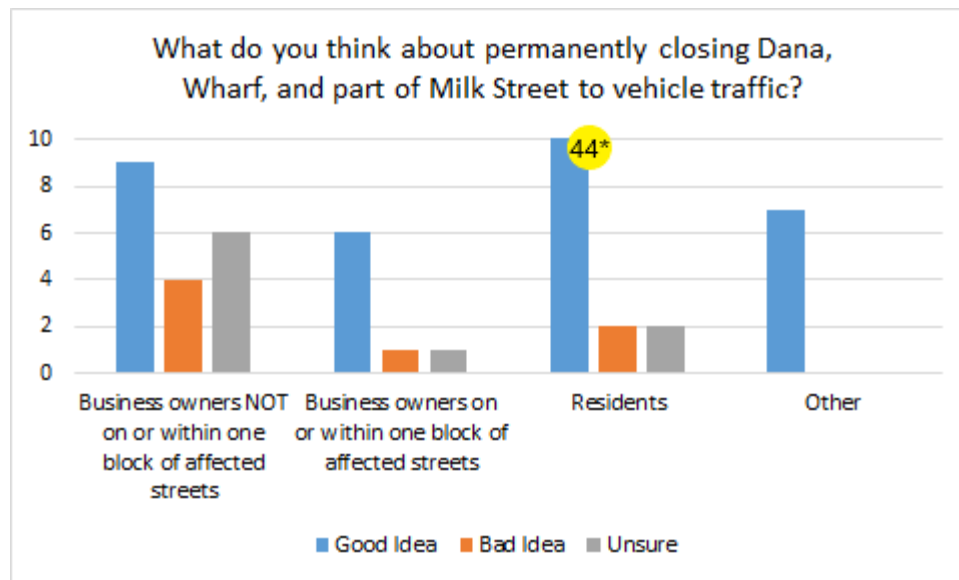
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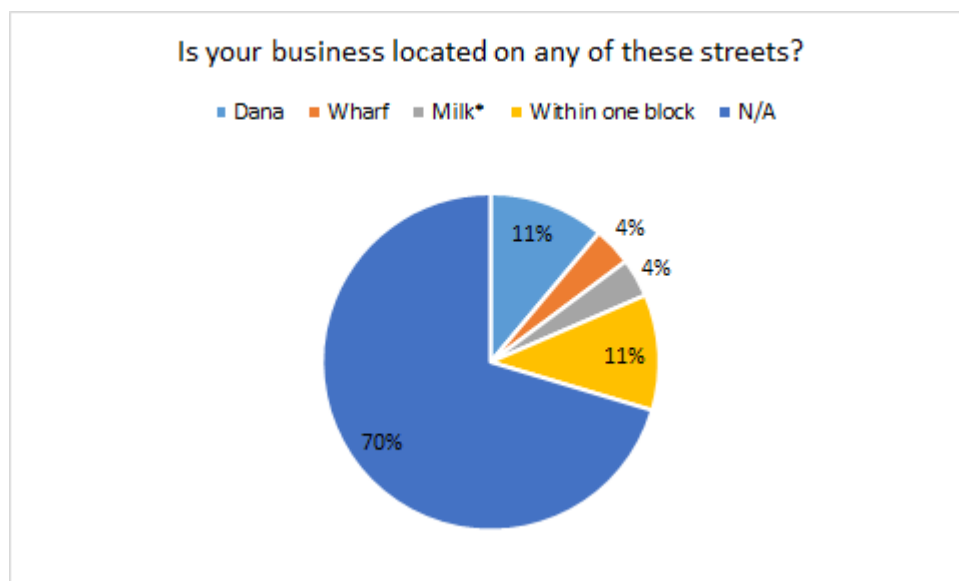






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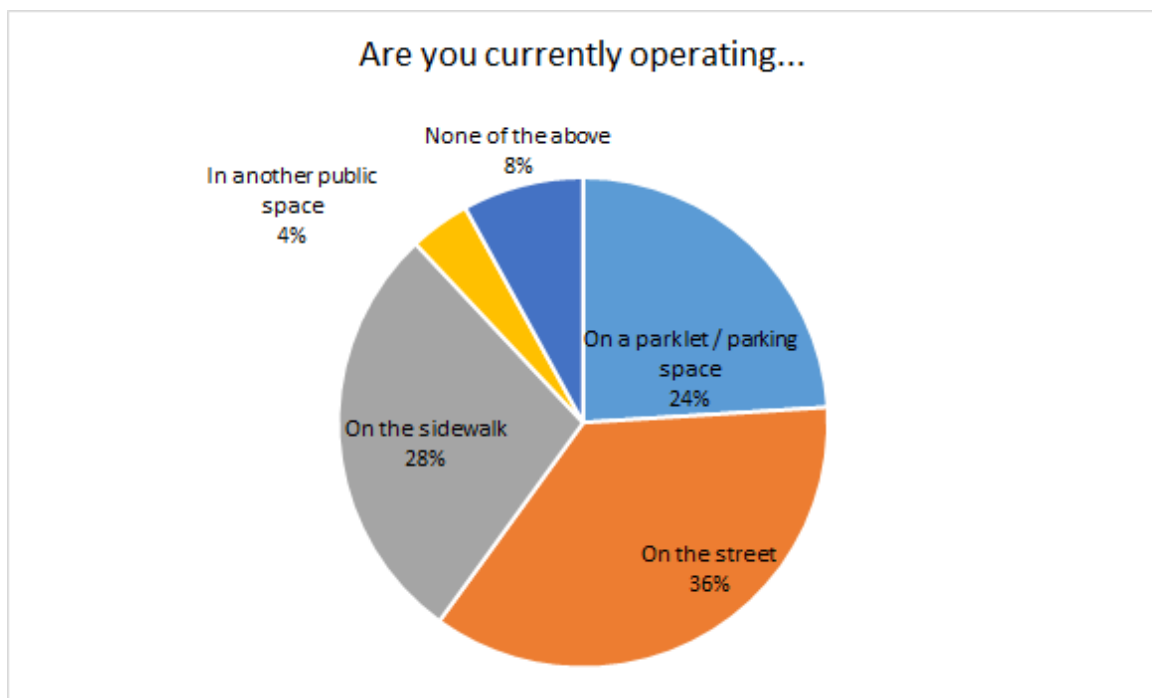
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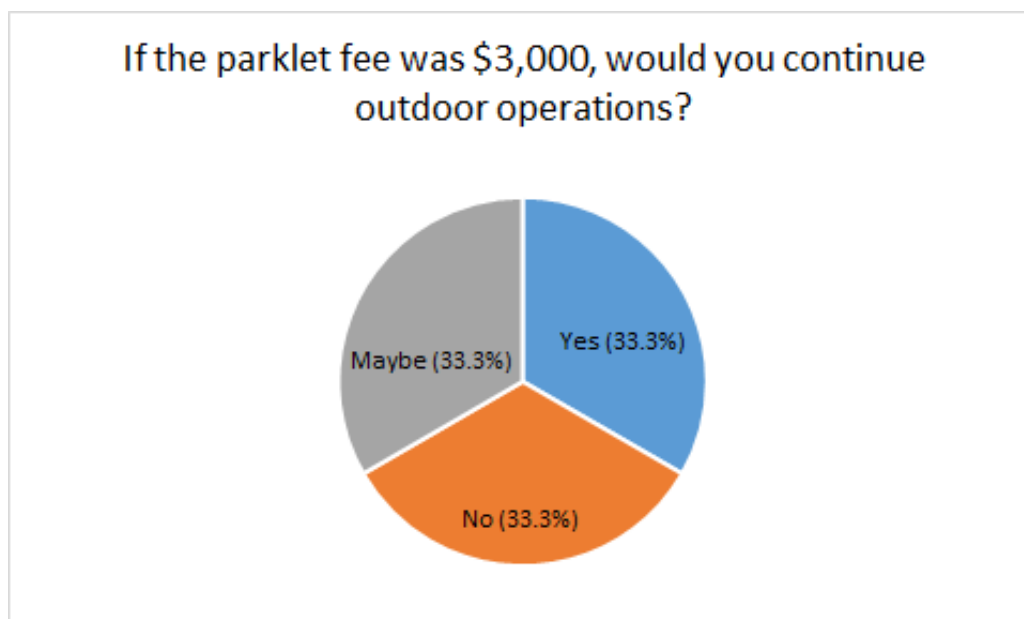




1 = hurt my business

5 = helped my business





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"These are short cobblestone streets that have never had much traffic. Pre-pandemic, Wharf Street would often be closed to cars anyway. I believe closing these streets to cars would not have much (if any) effect on traffic flow or parking availability, and it would provide open-air, people-centered gathering spaces benefitting pedestrians as well as local businesses."

"Downtown should be more walkable! Most cities are set up this way."

"I am in strong support of the permanent closure of these streets to vehicular traffic. Many downtown and Old Port streets see unnecessary vehicle traffic (especially people looping around looking for parking), which creates conflict with the heavy pedestrian traffic they see. Given how small downtown and Old Port are, we should be reducing the areas where vehicles can travel, as pedestrian and bicycle travel, along with outdoor business operations are a much more effective use of the space."

"Love the pedestrian area there, and close Exchange st between Middle and Fore again while you're at it."

These tiny one ways with 6 parking spots are way more useful as pedestrian and commercial areas. Subsidize the tenants' parking in nearby lots to minimize the impact on them and let's get that open air market energy going again that rocked."

"More streets should be permanently closed to cars, especially in areas originally not meant for cars, with an increased public transportation infrastructure to make it more accessible to people who can't get around easily and can't drive or bike"

"This would be such a great move for the town to have walkable areas. Makes it more of a destination, and pretty to hang out. No need for cars there!"

"These streets are so silly to drive down anyways, make them for pedestrians only!"

"Locals have already lost so many parking spots, why take away more?"

"Small streets that were never designed to have cars on them should remain car free."

"I don't think it negatively affected traffic flow"

"Consider other pedestrian-only streets, or an entirely pedestrian-only zone (perhaps a square bounded by Exchange, Fore, Silver and Middle where the interior streets are all pedestrian-only)"

"also encourage and step up outreach on where cars should go and park, such as satellite parking, as to prevent 'circlers' and congestion in the downtown district"

"I've really enjoyed these closures, and think they should be expanded."

"I favor more use of our public space as public space and not exclusively reserved for cars and parking. Let's look for more opportunities to create common spaces from underutilized or redundant streets."

"I havent noticed any problematic traffic problems when I go downtown since the street closures."

"Either make this available for everyone or no one because it isn't fair that only the trendy get the benefit. Not fair at all."

“Allow for small vendors like food trucks in and add more pedestrian friendly infrastructure like benches, trees and bus stops. Making sure the surface is friendly for the elderly and baby strollers would be amazing as well!”

“The more we can shift the allocation of space to people rather than their vehicles, the better!”

“Love the outdoor dining expansion and greater access for pedestrians.”

“It is so much more comfortable, safe, and enjoyable to be able to sit outside a restaurant and not have honking and car fumes. I have spent a lot more time in Old Port since the street became public usage!”

“Much safer for pedestrians, cyclists, cars — just better for everyone”

“As long as truck deliveries are still allowed at off-peak hours, there is nothing wrong with closing these streets to passenger traffic.”

“Cities should be built for people. There is no reason for cars on those small downtown streets.”

# Open Air Portland

Helping More Happen Outdoors



# Program Background

- March 12, 2020: First COVID-19 case reported in Maine.
- March 18, 2020: Governor Mills issued an executive order that closed all bars and restaurants to dine-in customers, but allowed take-out, delivery, and drive-through to continue.
- March 24, 2020: Portland City Manager issued a stay-at-home order beginning on March 25 for all non-essential businesses.
- March 30, 2020: Portland City Council renewed and amended the emergency order.
- May 18, 2020: The Council amended the emergency order to grant the City Manager the authority to temporarily close streets, as well as establish and expand outdoor commercial premises, in conjunction with Governor Mills' *Restarting Maine's Economy* plan.
- June 1, 2020: The pandemic-era program launches. While some changes to the program are made over time, it is currently scheduled to continue until November 1, 2021.





# Program Evolution

|                            | Pre-Pandemic                                                                                                                     | Pandemic Era                                                                                                                                                                                                  |
|----------------------------|----------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Parklet Regulations</b> | <ul style="list-style-type: none"> <li>• Citywide cap</li> <li>• Eligibility restrictions</li> <li>• One per business</li> </ul> | <ul style="list-style-type: none"> <li>• No cap</li> <li>• Fewer eligibility restrictions</li> <li>• Two per business</li> </ul>                                                                              |
| <b>Parklet Fees</b>        | \$5,520 application fee                                                                                                          | \$1,092 application fee                                                                                                                                                                                       |
| <b>Street Closures</b>     | None                                                                                                                             | <ul style="list-style-type: none"> <li>• Exchange (2020 only)</li> <li>• Dana</li> <li>• Wharf</li> <li>• Milk (reduced in 2021)</li> <li>• Boothby Square (2021 only)</li> <li>• Middle (partial)</li> </ul> |
| <b>Seasonality</b>         | Outdoor business activity permitted April - November                                                                             | Outdoor business activity permitted all seasons                                                                                                                                                               |



# Program Evaluation

- July 2020: Exchange Street Closure Performance Evaluation
- October 2020: Outdoor Winter Dining/Retail Survey
- January 2021: Outdoor Dining & Retail Program Feedback
- August 2021: Open Air Program Survey



# Open Air Portland

|                            | Pre-Pandemic                                                                                                                   | Pandemic Era                                                                                                                                                          | Open Air <b>Portland</b>                                                                                                                           |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Parklet Regulations</b> | <ul style="list-style-type: none"> <li>Citywide Cap (5)</li> <li>Eligibility Restrictions</li> <li>One per business</li> </ul> | <ul style="list-style-type: none"> <li>No cap</li> <li>Fewer eligibility restrictions</li> <li>Two per business</li> </ul>                                            | <ul style="list-style-type: none"> <li>No cap</li> <li>Fewer eligibility restrictions</li> <li>Two per business</li> </ul>                         |
| <b>Parklet Fees</b>        | \$5,520 application fee                                                                                                        | \$1,092 application fee                                                                                                                                               | One parklet: \$3,000<br>Two parklets: \$5,000                                                                                                      |
| <b>Street Closures*</b>    | None                                                                                                                           | <ul style="list-style-type: none"> <li>Exchange (2020)</li> <li>Dana</li> <li>Wharf</li> <li>Milk</li> <li>Boothby Square (2021)</li> <li>Middle (partial)</li> </ul> | <ul style="list-style-type: none"> <li>Dana</li> <li>Wharf</li> <li>Milk (Market and Exchange)</li> <li>Amend Festival Order for Middle</li> </ul> |
| <b>Seasonality</b>         | Outdoor business activity permitted April - November                                                                           | Outdoor business activity permitted all seasons                                                                                                                       | Outdoor business activity permitted April - November                                                                                               |

Timing: Open Air Portland would be implemented after the current festival order ends.

\* While Open Air Portland includes the permanent, year-round closure of certain streets, business activity on those streets will be permitted from April to November only. Staff is happy to reevaluate this moving forward.



Questions?  
Feedback?



# Unintended Consequence - Parklets

Public Comment inbox



**Christopher O'Neil** <cponeil22@gmail.com>

10:40 AM (1 hour ago)

to publiccomment

Councilor:

Encouraging news about improving the "Open Air Portland" program. The expansion of outdoor dining has been a great silver lining on the otherwise gray clouds of the pandemic. Aside from enhancing the public health, it has helped some businesses stay afloat and it has improved the downtown scene overall, in my opinion.

I'd certainly like to see it continue, **but I have a word of caution: please do it more artfully and equitably than proposed.**

Let me illustrate what I think needs to be refined:

Harry's (a 25 seat restaurant) pays its landlord \$3000 per month rent. That's an operating cost of \$120 per seat per month.

Harry's Hoagies gets a city parklet which affords 25 additional outdoor seats (doubling capacity), paying the city \$3000 (\$250 per month). That's an operating cost of \$10 per seat per month. The new/subsidized operating cost for the entire Harry's restaurant is now just \$65 per seat per month, down from the \$120 per seat per month that was in Harry's original business plan, and that sustained the business pre-pandemic.

Patty's Place, another restaurant around the corner or perhaps even next door isn't located where a parklet is allowed or feasible. Patty's Place also pays its landlord rent of \$120 per seat per month, while the neighboring parklet restaurant, Harry's, pays \$65 per seat per month. That is the glaring problem: a significant competitive advantage for Harry's, created by a government policy.

My point is that while everybody - myself included - thinks expanded outdoor dining is great, there is a potential unintended consequence if the cost is not applied fairly: competitive disadvantage.

Seating capacity is one of the major financial factors in determining a restaurant's profitability. Open Air Portland could be a great initiative. But it could also be a city policy that unfairly allows one business to increase — even double or triple — its seating capacity (a crucial cost component) for almost free, while a neighboring business cannot increase seating at all. That would be an anti-competitive public policy.

There are restaurants in town that pay landlords for greater square footage/seating capacity, carrying that greater operating cost year-round, and said cost is necessarily reflected in their menu prices and the overall competitiveness of the business. There are restaurants that built on-premise outdoor dining such as decks or patios, which they pay for in their rent. The parklet restaurants do not carry that same seating cost; therefore they benefit from a government thumb on the scale.

I want to see Open Air Portland happen, but only if the council slows down and refines it to be more equitable and competitive for both Harry and Patty.

It has always been my understanding that the parklet fee was based on lost parking revenue. I think that makes some sense, but it neglects the factors I mention above. Moreover, the current proposal is for an even lower fee than previous. Perhaps you could conduct a downtown lease survey to determine the prevailing cost per seat or per square foot. Then charge a parklet fee that more accurately replicates this prevailing cost. (Think: How much would

a landlord charge a restaurant seeking to increase its dining room space?) You could design a per square foot fee, a per table fee or a per seat fee...or some methodology that makes parklets more competitive, rational and equitable.

Thanks for listening.

Chris

**Christopher P. O'Neil**

**O'Neil Policy Consulting, Inc.**

Government Relations

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**(207) 590-3842**

[www.oneilpolicyconsulting.com](http://www.oneilpolicyconsulting.com)

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** September 9, 2021

**SUBJECT:** Order 47-21/22 Accepting and Appropriating \$40,909.09 in Assistance to Firefighters Grant Funding from Federal Emergency Management Agency - Sponsored by Jon P. Jennings, City Manager

**SPONSOR:**

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading 9/8/2021**

**Final Action 9/20/2021**

**Can action be taken at a later date: No Beyond FEMA deadline for acceptance.**

**PRESENTATION:** (List the presenter(s), type and length of presentation)

**I. SUMMARY**

**II. AGENDA DESCRIPTION**

The Portland Fire Department was recently awarded Federal Emergency Management Agency (FEMA) funding of \$40,909.09 to support the work of a new, full-time mental health employee within the Fire Department. The local match for this grant is \$4,090.01 and is accounted for in the FY22 budget.

Specifically, this funding will support training, workshops, equipment and other services for the position. Per FEMA guidelines, funding must be accepted by September 25, 2021.

This item must be read on two separate days. It received its first reading on September 8, 2021. Five affirmative votes are required for passage after public comment.

**III. BACKGROUND**

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

**V. FINANCIAL IMPACT**

**VI. STAFF ANALYSIS AND BACKGROUND**

Staff Analysis and Background that will not appear in the Agenda Description.

**VII. RECOMMENDATION**

**VIII. LIST ATTACHMENTS**

1. EMW-2020-FG-19490 - Award Package
2. Accepting and Appropriating \$40,909.09 Grant from FEMA 9.8.2021

Prepared by:

Date: 09/09/2021

# Award Letter

U.S. Department of Homeland Security  
Washington, D.C. 20472

Effective date: 08/25/2021



Benjamin Bettez  
PORTLAND, CITY OF  
389 CONGRESS STREET  
PORTLAND, ME 04101

EMW-2020-FG-19490

Dear Benjamin Bettez,

Congratulations on behalf of the Department of Homeland Security. Your application submitted for the Fiscal Year (FY) 2020 Assistance to Firefighters Grant (AFG) Grant funding opportunity has been approved in the amount of \$40,909.09 in Federal funding. As a condition of this grant, you are required to contribute non-Federal funds equal to or greater than 10.0% of the Federal funds awarded, or \$4,090.91 for a total approved budget of \$45,000.00. Please see the FY 2020 AFG Notice of Funding Opportunity for information on how to meet this cost share requirement.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the FEMA Grants Outcomes (FEMA GO) system. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Summary Award Memo - included in this document
- Agreement Articles - included in this document
- Obligating Document - included in this document
- 2020 AFG Notice of Funding Opportunity (NOFO) - incorporated by reference

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert Farmer", is written over a horizontal line.

Robert Farmer  
Acting Deputy Assistant Administrator  
Grant Programs Directorate



# Summary Award Memo

**Program:** Fiscal Year 2020 Assistance to Firefighters Grant

**Recipient:** PORTLAND, CITY OF

**DUNS number:** 071747802

**Award number:** EMW-2020-FG-19490

## Summary description of award

The purpose of the Assistance to Firefighters Grant program is to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards. After careful consideration, FEMA has determined that the recipient's project or projects submitted as part of the recipient's application and detailed in the project narrative as well as the request details section of the application - including budget information - was consistent with the Assistance to Firefighters Grant Program's purpose and was worthy of award.

Except as otherwise approved as noted in this award, the information you provided in your application for FY 2020 Fiscal Year (FY) 2020 Assistance to Firefighters Grants funding is incorporated into the terms and conditions of this award. This includes any documents submitted as part of the application.

## Amount awarded table

The amount of the award is detailed in the attached Obligating Document for Award.

The following are the budgeted estimates for object classes for this award (including Federal share plus your cost share, if applicable):

| Object Class     | Total       |
|------------------|-------------|
| Personnel        | \$0.00      |
| Fringe benefits  | \$0.00      |
| Travel           | \$0.00      |
| Equipment        | \$0.00      |
| Supplies         | \$0.00      |
| Contractual      | \$45,000.00 |
| Construction     | \$0.00      |
| Other            | \$0.00      |
| Indirect charges | \$0.00      |
| Federal          | \$40,909.09 |
| Non-federal      | \$4,090.91  |
| Total            | \$45,000.00 |
| Program Income   | \$0.00      |

## Approved scope of work

After review of your application, FEMA has approved the below scope of work. Justifications are provided for any differences between the scope of work in the original application and the approved scope of work under this award. You must submit scope or budget revision requests for FEMA's prior approval, via an amendment request, as appropriate per 2 C.F.R. § 200.308 and the FY2020 AFG NOFO.

### Approved request details:

## Equipment

### Automatic Chest Compression Device (CPR)

#### DESCRIPTION

Lucas 3 Chest Compression devices

|        | QUANTITY | UNIT PRICE  | TOTAL  | BUDGET CLASS |
|--------|----------|-------------|--------|--------------|
| Cost 1 | 0        | \$20,200.00 | \$0.00 | Equipment    |

#### CHANGE FROM APPLICATION

**Quantity** from **5** to **0**

#### JUSTIFICATION

This reduction is due to the score your project received at panels relative to other projects

## Wellness and fitness programs

### Behavioral Health NFPA 1500 or equivalent

#### DESCRIPTION

One Year mental health care practitioner (MHP) in a contract position to assist with assessing the psychological and mental health needs of our members.

| QUANTITY | UNIT PRICE  | TOTAL       |
|----------|-------------|-------------|
| 1        | \$45,000.00 | \$45,000.00 |

#### BUDGET CLASS

Contractual

## Agreement Articles

**Program:** Fiscal Year 2020 Assistance to Firefighters Grant

**Recipient:** PORTLAND, CITY OF

**DUNS number:** 071747802

**Award number:** EMW-2020-FG-19490

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**Article 1****Assurances, Administrative Requirements, Cost Principles, Representations and Certifications**

DHS financial assistance recipients must complete either the Office of Management and Budget (OMB) Standard Form 424B Assurances – Non-Construction Programs, or OMB Standard Form 424D Assurances – Construction Programs, as applicable. Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances applicable to their program as instructed by the awarding agency. Please contact the DHS FAO if you have any questions. DHS financial assistance recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at Title 2, Code of Federal Regulations (C.F.R.) Part 200, and adopted by DHS at 2 C.F.R. Part 3002. By accepting this agreement, the recipient and its executives, as defined in 2 C.F.R. § 170.315, certify that the recipient policies are in accordance with OMB guidance located at 2 C.F.R. Part 200, all applicable federal laws, and relevant Executive guidance.

**Article 2****DHS Specific Acknowledgements and Assurances**

All recipients, subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff. 1. Recipients must cooperate with any compliance reviews or compliance investigations conducted by DHS. 2. Recipients must give DHS access to, and the right to examine and copy, records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance. 3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports. 4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance. 5. Recipients of federal financial assistance from DHS must complete the DHS Civil Rights Evaluation Tool within thirty (30) days of receipt of the Notice of Award or, for State Administrative Agencies, thirty (30) days from receipt of the DHS Civil Rights Evaluation Tool from DHS or its awarding component agency. After the initial submission for the first award under which this term applies, recipients are required to provide this information once every two (2) years if they have an active award, not every time an award is made. Recipients should submit the completed tool, including supporting materials, to [CivilRightsEvaluation@hq.dhs.gov](mailto:CivilRightsEvaluation@hq.dhs.gov). This tool clarifies the civil rights obligations and related reporting requirements contained in the DHS Standard Terms and Conditions. Subrecipients are not required to complete and submit this tool to DHS. The evaluation tool can be found at <https://www.dhs.gov/publication/dhs-civil-rights-evaluation-tool>. The DHS Office for Civil Rights and Civil Liberties will consider, in its discretion, granting an extension if the recipient identifies steps and a timeline for completing the tool. Recipients should request extensions by emailing the request to [CivilRightsEvaluation@hq.dhs.gov](mailto:CivilRightsEvaluation@hq.dhs.gov) prior to expiration of the 30-day deadline.

**Article 3****Acknowledgement of Federal Funding from DHS**

Recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposal, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.

**Article 4****Activities Conducted Abroad**

Recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.



|                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Article 5</b> | <b>Age Discrimination Act of 1975</b><br>Recipients must comply with the requirements of the Age Discrimination Act of 1975, Pub. L. No. 94-135 (1975) (codified as amended at Title 42, U.S. Code, § 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Article 6</b> | <b>Americans with Disabilities Act of 1990</b><br>Recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, Pub. L. No. 101-336 (1990) (codified as amended at 42 U.S.C. §§ 12101–12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Article 7</b> | <b>Best Practices for Collection and Use of Personally Identifiable Information</b><br>Recipients who collect personally identifiable information (PII) are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. DHS defines PII as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance at <a href="http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_guidance_june2010.pdf">http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_guidance_june2010.pdf</a> and Privacy Template at <a href="https://www.dhs.gov/sites/default/files/publications/privacy_pia_template_2017.pdf">https://www.dhs.gov/sites/default/files/publications/privacy_pia_template_2017.pdf</a> as useful resources respectively. |
| <b>Article 8</b> | <b>Civil Rights Act of 1964 – Title VI</b><br>Recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (codified as amended at 42 U.S.C. § 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.                                                                                                                                                                                                                                                                                                                                                                                                                            |

|                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Article 9</b>  | <p><b>Civil Rights Act of 1968</b></p> <p>Recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. No. 90-284, as amended through Pub. L. 113-4, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (see 42 U.S.C. § 3601 et seq.), as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D.)</p> |
| <b>Article 10</b> | <p><b>Copyright</b></p> <p>Recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Article 11</b> | <p><b>Debarment and Suspension</b></p> <p>Recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, which are at 2 C.F.R. Part 180 as adopted by DHS at 2 C.F.R. Part 3000. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Article 12</b> | <p><b>Drug-Free Workplace Regulations</b></p> <p>Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of Sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (41 U.S.C. §§ 8101-8106).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Article 13</b> | <p><b>Duplication of Benefits</b></p> <p>Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.</p>                                                                                                                                                                                                                                                                                                                  |

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| <b>Article 14</b> | <b>Education Amendments of 1972 (Equal Opportunity in Education Act) – Title IX</b><br>Recipients must comply with the requirements of Title IX of the Education Amendments of 1972, Pub. L. 92-318 (1972) (codified as amended at 20 U.S.C. § 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19. |
| <b>Article 15</b> | <b>Energy Policy and Conservation Act</b><br>Recipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. 94- 163 (1975) (codified as amended at 42 U.S.C. § 6201 et seq.), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.                                                                                                                                                                                                                                                    |
| <b>Article 16</b> | <b>False Claims Act and Program Fraud Civil Remedies</b><br>Recipients must comply with the requirements of the False Claims Act, 31 U.S.C. §§ 3729-3733, which prohibit the submission of false or fraudulent claims for payment to the federal government. (See 31 U.S.C. §§ 3801-3812, which details the administrative remedies for false claims and statements made.)                                                                                                                                                                                                                                        |
| <b>Article 17</b> | <b>Federal Debt Status</b><br>All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)                                                                                                                                                                                                                                                                                                                                             |
| <b>Article 18</b> | <b>Federal Leadership on Reducing Text Messaging while Driving</b><br>Recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the federal government.                                                                                                                                                                                                                              |
| <b>Article 19</b> | <b>Fly America Act of 1974</b><br>Recipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under 49 U.S.C. § 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974, 49 U.S.C. § 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.                                                  |

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| <b>Article 20</b> | <b>Hotel and Motel Fire Safety Act of 1990</b><br>In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. § 2225a, recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, (codified as amended at 15 U.S.C. § 2225.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Article 21</b> | <b>Limited English Proficiency (Civil Rights Act of 1964, Title VI)</b><br>Recipients must comply with Title VI of the Civil Rights Act of 1964, (42 U.S.C. § 2000d et seq.) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance: <a href="https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited">https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited</a> and additional resources on <a href="http://www.lep.gov">http://www.lep.gov</a> . |
| <b>Article 22</b> | <b>Lobbying Prohibitions</b><br>Recipients must comply with 31 U.S.C. § 1352, which provides that none of the funds provided under a federal financial assistance award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification.                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Article 23</b> | <b>National Environmental Policy Act</b><br>Recipients must comply with the requirements of the National Environmental Policy Act of 1969 (NEPA), Pub. L. 91-190 (1970) (codified as amended at 42 U.S.C. § 4321 et seq.) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.                                                                                                                                                                                                                                   |
| <b>Article 24</b> | <b>Nondiscrimination in Matters Pertaining to Faith-Based Organizations</b><br>It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.                                                                                                                                                                                                                                                                                                                     |

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| <b>Article 25</b> | <b>Non-Supplanting Requirement</b><br>Recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.                                                                                                                                                                                                                                                                                                 |
| <b>Article 26</b> | <b>Notice of Funding Opportunity Requirements</b><br>All the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. All recipients must comply with any such requirements set forth in the program NOFO.                                                                                                                                                                                                                                     |
| <b>Article 27</b> | <b>Patents and Intellectual Property Rights</b><br>Recipients are subject to the Bayh-Dole Act, 35 U.S.C. § 200 et seq, unless otherwise provided by law. Recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. § 401.14.                                                                                                                                |
| <b>Article 28</b> | <b>Procurement of Recovered Materials</b><br>States, political subdivisions of states, and their contractors must comply with Section 6002 of the Solid Waste Disposal Act, Pub. L. 89-272 (1965), (codified as amended by the Resource Conservation and Recovery Act, 42 U.S.C. § 6962.) The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition. |
| <b>Article 29</b> | <b>Rehabilitation Act of 1973</b><br>Recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. 93-112 (1973) (codified as amended at 29 U.S.C. § 794) which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.                                                                                     |

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| <b>Article 30</b> | <b>Reporting of Matters Related to Recipient Integrity and Performance</b><br>If the total value of any currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this federal award, then the recipients must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions. |
| <b>Article 31</b> | <b>Reporting Subawards and Executive Compensation</b><br>Recipients are required to comply with the requirements set forth in the government-wide award term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.                                                                                                                                                                                                                                                                              |
| <b>Article 32</b> | <b>SAFECOM</b><br>Recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.                                                                                                                                                                                                                                                                              |
| <b>Article 33</b> | <b>Terrorist Financing</b><br>Recipients must comply with E.O. 13224 and U.S. laws that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.                                                                                                                                                                                                                                                                                                                     |
| <b>Article 34</b> | <b>Trafficking Victims Protection Act of 2000 (TVPA)</b><br>Recipients must comply with the requirements of the government-wide financial assistance award term which implements Section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), codified as amended at 22 U.S.C. § 7104. The award term is located at 2 C.F.R. § 175.15, the full text of which is incorporated here by reference.                                                                                                                                                                                                                      |
| <b>Article 35</b> | <b>Universal Identifier and System of Award Management</b><br>Recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference.                                                                                                                                                                                                                                                         |

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| <b>Article 36</b> | <b>USA PATRIOT Act of 2001</b><br>Recipients must comply with requirements of Section 817 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act), Pub. L. No. 107-56, which amends 18 U.S.C. §§ 175–175c.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Article 37</b> | <b>Use of DHS Seal, Logo and Flags</b><br>Recipients must obtain permission from their DHS FAO prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Article 38</b> | <b>Whistleblower Protection Act</b><br>Recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C § 2409, 41 U.S.C. § 4712, and 10 U.S.C. § 2324, 41 U.S.C. §§ 4304 and 4310.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Article 39</b> | <b>Acceptance of Post Award Changes</b><br>In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the FEMA/GMD Call Center at (866) 927-5646 or via e-mail to ASK-GMD@fema.dhs.gov if you have any questions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Article 40</b> | <b>Prior Approval for Modification of Approved Budget</b><br>Before making any change to the FEMA approved budget for this award, you must request prior written approval from FEMA where required by 2 C.F.R. § 200.308. FEMA is also utilizing its discretion to impose an additional restriction under 2 C.F.R. § 200.308(f) regarding the transfer of funds among direct cost categories, programs, functions, or activities. Therefore, for awards with an approved budget where the federal share is greater than the simplified acquisition threshold (currently \$250,000), you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget FEMA last approved. You must report any deviations from your FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval. |



**Article 41****Disposition of Equipment Acquired Under the Federal Award**

When original or replacement equipment acquired under this award by the recipient or its subrecipients is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, you must request instructions from FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. § 200.313.

**Article 42****Environmental Planning and Historic Preservation (EHP) Review**

DHS/FEMA funded activities that may require an EHP review are subject to the FEMA Environmental Planning and Historic Preservation (EHP) review process.

This review does not address all federal, state, and local requirements.

Acceptance of federal funding requires recipient to comply with all federal, state, and local laws. DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/FEMA grant funds, through its EHP Review process, as mandated by the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and, any other applicable laws and Executive Orders. To access the FEMA EHP screening form and instructions, go to the DHS/FEMA website at:

<https://www.fema.gov/media-library/assets/documents/90195>. In order to initiate EHP review of your project(s), you must complete all relevant sections of this form and submit it to the Grant Programs Directorate (GPD) along with all other pertinent project information. The EHP review process must be completed before funds are released to carry out the proposed project; otherwise, DHS/FEMA may not be able to fund the project due to noncompliance with EHP laws, executive order, regulations, and policies. If ground disturbing activities occur during construction, applicant will monitor ground disturbance, and if any potential archeological resources are discovered, applicant will immediately cease work in that area and notify the pass-through entity, if applicable, and DHS/FEMA.

**Article 43****Award Performance Goals**

FEMA will measure the recipient's performance of the grant by comparing the number of items requested in its application, the numbers acquired (ordered, paid, and received) within the period of performance. In order to measure performance, FEMA may request information throughout the period of performance. In its final performance report submitted at closeout, the recipient is required to report on the recipients compliance with the applicable industry, local, state and national standards described in the NOFO.



## Obligating document

|                                                                                                    |                                                                                                                                              |                                                                                                |                                                                                                                                 |                                         |
|----------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| <b>1. Agreement No.</b><br>EMW-2020-FG-19490                                                       | <b>2. Amendment No.</b><br>N/A                                                                                                               | <b>3. Recipient No.</b><br>016000032                                                           | <b>4. Type of Action</b><br>AWARD                                                                                               | <b>5. Control No.</b><br>WX00641N2021T  |
| <b>6. Recipient Name and Address</b><br>PORTLAND, CITY OF<br>389 CONGRESS ST<br>PORTLAND, ME 04101 | <b>7. Issuing FEMA Office and Address</b><br>Grant Programs Directorate<br>500 C Street, S.W.<br>Washington DC, 20528-7000<br>1-866-927-5646 |                                                                                                | <b>8. Payment Office and Address</b><br>FEMA, Financial Services Branch<br>500 C Street, S.W., Room 723<br>Washington DC, 20742 |                                         |
| <b>9. Name of Recipient Project Officer</b><br>Benjamin Bettez                                     | <b>9a. Phone No.</b><br>2078748400                                                                                                           | <b>10. Name of FEMA Project Coordinator</b><br>Assistance to Firefighters Grants Grant Program |                                                                                                                                 | <b>10a. Phone No.</b><br>1-866-274-0960 |
| <b>11. Effective Date of This Action</b><br>08/25/2021                                             | <b>12. Method of Payment</b><br>OTHER - FEMA GO                                                                                              | <b>13. Assistance Arrangement</b><br>COST SHARING                                              | <b>14. Performance Period</b><br>09/01/2021 to 08/31/2023<br><b>Budget Period</b><br>09/01/2021 to 08/31/2023                   |                                         |

| 15. Description of Action a. (Indicate funding data for awards or financial changes)                                                                                                                                         |                            |                                 |                   |                                     |                     |                                   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|---------------------------------|-------------------|-------------------------------------|---------------------|-----------------------------------|
| Program Name<br>Abbreviation                                                                                                                                                                                                 | Assistance Listings<br>No. | Accounting Data(ACCS Code)      | Prior Total Award | Amount Awarded This Action + or (-) | Current Total Award | Cumulative Non-Federal Commitment |
| AFG                                                                                                                                                                                                                          | 97.044                     | 2021-F0-GB01 - P410-xxxx-4101-D | \$0.00            | \$40,909.09                         | \$40,909.09         | \$4,090.91                        |
| Totals                                                                                                                                                                                                                       |                            |                                 | \$0.00            | \$40,909.09                         | \$40,909.09         | \$4,090.91                        |
| b. To describe changes other than funding data or financial changes, attach schedule and check here:<br>N/A                                                                                                                  |                            |                                 |                   |                                     |                     |                                   |
| <del>16. FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address)</del><br>This field is not applicable for digitally signed grant agreements |                            |                                 |                   |                                     |                     |                                   |
| 17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)                                                                                                                                                                            |                            |                                 |                   |                                     | DATE                |                                   |
| 18. FEMA SIGNATORY OFFICIAL (Name and Title)<br>Robert Farmer, Acting Deputy Assistant Administrator Grant Programs Directorate                                                                                              |                            |                                 |                   |                                     | DATE<br>08/25/2021  |                                   |

KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW ZARRO (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

MARK DION (5)  
APRIL D. FOURNIER(A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER ACCEPTING AND APPROPRIATING ACCEPTING AND APPROPRIATING  
\$40,909.09 IN ASSISTANCE TO FIREFIGHTERS GRANT FUNDING FROM  
FEDERAL EMERGENCY MANAGEMENT AGENCY**

**ORDERED**, that a grant in the amount of \$40,909.00 from the United States Federal Emergency Management Agency (FEMA) is hereby accepted and that amount appropriated for the addition of a new, full-time mental health employee within the Fire Department as set forth in the grant agreement attached hereto; and

**BE IT FURTHER ORDERED**, that \$4,090.01 is hereby appropriated from the Portland Fire Department operating budget as the 10 percent in City of Portland funds match required for acceptance of the FEMA Grant; and

**BE IT FURTHER ORDERED**, that the City Manager or his or her designee is hereby authorized to execute the Grant Agreement in substantially the form attached hereto and whatever other documents are necessary to effect the intent and purpose of this order; and

**BE IT FURTHER ORDERED**, that this order is enacted as an Emergency, pursuant to Article II, Section 11 of the Portland City Charter, in order to make it effective immediately and meet the FEMA acceptance deadline.

KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW ZARRO (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

MARK DION (5)  
APRIL D. FOURNIER(A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER DECLARING AN EMERGENCY**

**WHEREAS**, in the Spring of 2021 the COVID-19 Pandemic had seemed to be coming to an end with the advent of vaccines and good vaccination rates, but instead, infection rates, new variants, hospitalizations and deaths from the COVID-19 virus have been increasing in recent months; and

**WHEREAS**, a majority of the new infections in the United States and the State of Maine involve the Delta variant, a highly contagious SARS-CoV-2 virus strain, which was first identified in India in December 2020; and

**WHEREAS**, the Delta variant has increased transmission and the severity of COVID-19 infections based on hospitalization and case fatality rates, decreased the virus's susceptibility to therapeutic agents, and evaded natural or vaccine-induced immunity; and

**WHEREAS**, the CDC has recommended that individuals who are not fully vaccinated continue to wear masks in indoor public settings in all locations; and

**WHEREAS**, as a result of the Delta variant and the increase in COVID-19 infections, the United States Centers for Disease Control and Prevention ("CDC") announced on July 27, 2021 that fully vaccinated individuals should also wear masks in indoor public settings in parts of the country that are experiencing a substantial or high transmission of COVID-19; and

**WHEREAS**, the risk of COVID-19 virus transmission from vaccinated individuals to both vaccinated and unvaccinated individuals (for example children under 12) remains unknown; and

**WHEREAS**, Cumberland County is rated as high community transmission; and

**WHEREAS**, the number of daily Maine positive tests for COVID-19 recently exceeded 500; and

**WHEREAS**, Cumberland County has a 3.3% positivity rate for COVID-19 tests, and during that week had a 13% increase in the number of cases of COVID-19, despite the county-wide 84% vaccination rate of persons 12 and older; and

**WHEREAS**, more than 2,000 breakthrough cases of COVID-19 have been recorded for persons who are vaccinated, and more than 100 persons with these cases have been hospitalized; and

**WHEREAS**, the number of patients in critical care and the numbers of patients on ventilators who are suffering from the effects of COVID-19 are reaching new peaks since the start of the pandemic; and

**WHEREAS**, Maine outbreaks of COVID-19 may have started at weddings and other gatherings and at summer camps, and are now occurring in schools; and

**WHEREAS**, as a result of the recent increase in COVID-19 cases, the City Manager has determined that City Hall and all other City buildings will remain closed to the public and be accessible by appointment only and that masks will continue to be worn by members of the public and City staff in those buildings; and

**WHEREAS**, all City Council and City Council committees, and all other City board and committee meetings are currently being conducted via remote technology/methods.

**NOW, THEREFORE, BE IT ORDERED AND DECLARED** by the Portland City Council, pursuant to 2-406 of the City of Portland's Code of Ordinances, hereby amends Order 17-20/21 to specify that an emergency continues to exist within the City of Portland; and

**BE IT FURTHER ORDERED**, that as a result of the declared emergency and the existence of an "emergency or urgent issue" as described above, pursuant to 1 M.R.S. section 403-B and the City Council's recently adopted Remote Participation Policy, being physically present for City Council and Council Committee meetings in City Hall is not practicable at this time, and therefore continues to require that the City Council and all Council Committees meet remotely, and recommends that all other City boards and committees also continue to meet and conduct their meetings by remote technology/methods only until the emergency is terminated; and

**BE IT FURTHER ORDERED**, all individuals aged two (2) years and above shall wear a mask that covers their nose and mouth, whenever they are in an indoor public space including businesses, clubs, places of assembly, or other places that are open to members of the public, including but not limited to, retail establishments, restaurants, bars, performance and dance venues, social clubs, personal service establishments (i.e. barbershops and hair and nail salons), fitness/health clubs, indoor recreation spaces, event spaces, and municipal buildings subject to the following conditions:

1. Customers at indoor food service establishments including, but not limited to, restaurants and bars, as well as dance or performance venues, may only remove their masks when they are actively eating or drinking. Customers at food service establishments must otherwise be masked, even while seated at a table. Customers standing or ordering at a bar must be masked.
2. This Order shall not apply to houses or places of worship.
3. Notwithstanding any provision in this Order, pursuant to guidance issued by the CDC, masks are not required for children under two (2) years of age, anyone who has trouble breathing, anyone who is unconscious, incapacitated or otherwise unable to remove the mask without assistance, or anyone who due to disability is unable to wear a mask.
4. The mask requirement shall not apply to performers, while performing at a performance or other venue, provided that they are at least six (6) feet away from all other individuals outside of the performance group. Patrons, however, must remain masked at indoor performance venues and on indoor dance floors unless actively eating or drinking.
5. Fitness Centers/Health Club workers, customers, and visitors are required to wear face coverings during all fitness activities, including strenuous fitness activities.
6. At Personal Services establishments, customers receiving skin or beard care may temporarily remove their mask or face covering, but must immediately put the face covering back on for the remainder of the visit.

All entry doors of the above-described indoor public spaces must be posted advising customers that masks must be worn and maintained inside the establishment.

**BE IT FURTHER ORDERED**, the neighborhood meetings required in Chapter 14 of the City Code may be conducted by an applicant remotely through telephonic, video, electronic or other similar means of remote participation under the following conditions:

- A. Notice of the neighborhood meeting has been widely given to the parties required by the City's code to receive notice by electronic, telephonic, or other means and includes the method by which the public and interested parties may attend;
- B. The applicant and all individuals speaking on behalf of the applicant in the remote meeting are able to hear and speak during the meeting and members of the public attending the remote meeting are able to hear the applicant and its representatives; and
- C. Members of the public attending the remote meeting are able to participate through telephonic, video, electronic or other similar means of remote participation.

**BE IT FURTHER ORDERED**, that a violation of this order by a person, firm or corporation shall constitute, among other things, a violation of the Portland City Code including, but not limited to, Chapter 2, section 2-412 and shall be subject to the penalties provided in section 2-413 and Chapter 1, section 1-15; and

**BE IT FURTHER ORDERED**, the requirements of this Order may be enforced by the City Manager and/or his/her designees; and

**BE IT FURTHER ORDERED**, the City Council shall review the substance and requirements of this Order when the Cumberland County transmission rate falls into the low or moderate level for at least twenty one (21) consecutive days or at its November 15, 2021 meeting, whichever is earlier; and

**BE IT FURTHER ORDERED**, that should any provision of this Order be declared invalid for any reason, such declaration shall not affect the validity of other provisions, or of this Order as a whole, it being the legislative intent that the provisions of this article shall be severable and remain valid notwithstanding such a declaration; and

**BE IT FURTHER ORDERED**, that this it is enacted as an Emergency, pursuant to Article II, Section 11 of the Portland City Charter, in order to make it effective immediately.

**AMENDMENT [#] TO ORDER 48-21/22  
PREPARED BY CORPORATION COUNSEL  
FOR COUNCILOR FOURNIER  
RE: Masks**

...

**NOW, THEREFORE, BE IT ORDERED AND DECLARED** by the Portland City Council, pursuant to 2-406 of the City of Portland's Code of Ordinances, hereby amends Order 17-20/21 to specify that an emergency continues to exist within the City of Portland; and

...

**BE IT FURTHER ORDERED**, all individuals aged two (2) years and above shall wear a mask that covers their nose and mouth, whenever they are in an indoor public space including businesses, clubs, places of assembly, or other places that are open to members of the public, including but not limited to, retail establishments, restaurants, bars, performance and dance venues, social clubs, personal service establishments (i.e. barbershops and hair and nail salons), fitness/health clubs, indoor recreation spaces, event spaces, and municipal buildings subject to the following conditions:

1. Customers at indoor food service establishments including, but not limited to, restaurants and bars, as well as dance or performance venues, may only remove their masks when they are actively eating or drinking. Customers at food service establishments must otherwise be masked, even while seated at a table. Customers standing or ordering at a bar must be masked.
2. This Order shall not apply to houses or places of worship.
3. Notwithstanding any provision in this Order, pursuant to guidance issued by the CDC, masks are not required for children under two (2) years of age, anyone who has trouble breathing, anyone who is unconscious, incapacitated or otherwise unable to remove the mask without assistance, or anyone who due to disability is unable to wear a mask.
4. The mask requirement shall not apply to performers including, but not limited to, musical or theater performers while performing at a performance or other venue, provided that they are at least six (6) feet away from all other individuals outside of the performance group. Patrons, however, must remain masked at indoor performance venues and on indoor dance floors unless actively eating or drinking.
5. Fitness Centers/Health Club workers, customers, and visitors are required to wear face coverings during all fitness activities, including strenuous fitness activities.
6. At Personal Services establishments, customers receiving skin or beard care may temporarily remove their mask or face covering, but must immediately put the face covering back on for the remainder of the visit.



All entry doors of the above-described indoor public spaces must be posted advising customers that masks must be worn and maintained inside the establishment.

**BE IT FURTHER ORDERED**, the City Council shall review the substance and requirements of this Order ~~when the Cumberland County transmission rate falls into the low or moderate level for at least twenty one (21) consecutive days or~~ at its October 18, 2021 ~~November 15, 2021~~ meeting, ~~whichever is earlier~~; and

...

**BE IT FURTHER ORDERED**, that pursuant to Article II, Section 11 of the Portland City Charter, the requirements this Order shall be effective beginning on Monday, September 27, 2021 is it is enacted as an Emergency, pursuant to Article II, Section 11 of the Portland City Charter and shall remain effective until terminated by the City Council., in order to make it effective immediately.



Health & Human Services Department  
Kristen Dow, Director

## **MEMORANDUM**

**To: Mayor Snyder and Members of the Portland City Council**

**Cc: Jon P. Jennings, City Manager**

**From: Kristen Dow, Director of Health & Human Services**  
**Tina Pettingill, Deputy Director of Health & Human Services**

**Date: September 16, 2021**

**Re: Council Request for Additional Information Regarding Indoor Mask Mandate**

At the September 13, 2021 City Council meeting, it was requested that staff from the City's Health and Human Services Department provide additional information to the Council for consideration during discussions around a mask mandate in the City. Below is the additional information that was gathered in response to those requests:

### **Metrics**

On July 27, 2021, the US CDC issued guidance for indoor mask use based on community transmission levels at the county level. The US CDC measures community transmission by looking at two data points: total new cases and percent positivity.

- **Total new cases** are calculated as the number of new cases in the past 7 days per 100,000 residents. This is calculated by dividing the total number of new infections in the county by the total population of the county. Then this number is multiplied by 100,000.
- **Percent positivity** is the percentage of positive COVID-19 tests in a county over the past 7 days. Percent positivity compares the number of newly reported cases to the number of people who were tested for COVID-19. The US CDC calculates this number by dividing the number of positive tests by the total number of tests in the county. For this calculation, only Nucleic Acid Amplification Tests (NAAT) are used, a PCR test is a type of NAAT test. Other tests such as an antigen or antibody test are not included in the US CDC's calculation for positivity rate. Home test results are also not included in this calculation.

Higher numbers of total cases and higher positivity rates indicate higher levels of community transmission. The US CDC uses these numbers together to get a complete picture of community

transmission. Percent positivity can vary depending on the volume of tests and the population being tested. High percentages of positive cases can mean:

- There are widespread infections in the community tested;
- Only those at greatest risk of infection within a community are being tested; and/or
- There are reporting processes or delays that skew the results.

As a result, considering both the new cases and percent positivity together is important because if a lot of people who are sick are not getting tested, then the number of reported cases will go down, but the actual number of cases in the community could be increasing. If only people who are severely ill are getting tested, then the percent positivity would be higher.

The US CDC has also clearly defined classifications of community transmission levels for decision-makers and individuals to use to make decisions about mask wearing using the new cases and percent positivity. If the values for each of these two metrics differ, then the higher of the two should be used to make decisions about mask use. (<https://www.cdc.gov/coronavirus/2019-ncov/more/aboutcovidcountycheck/>). Below is a summary of those classifications:

### US CDC Defined Community Transmission Levels

|                                                                     |                                                                   |                 |                                                        |             |
|---------------------------------------------------------------------|-------------------------------------------------------------------|-----------------|--------------------------------------------------------|-------------|
| <b>Mask recommendation</b>                                          | Unvaccinated people should wear a mask in public, indoor settings |                 | Everyone should wear a mask in public, indoor settings |             |
| <b>Transmission level</b>                                           | <b>Low</b>                                                        | <b>Moderate</b> | <b>Substantial</b>                                     | <b>High</b> |
| <b>Total new cases per 100,000 persons in the past 7 days</b>       | 0-9.99                                                            | 10-49.99        | 50-99.99                                               | ≥100        |
| <b>Percentage of NAATs that are positive during the past 7 days</b> | 0-4.99%                                                           | 5-7.99%         | 8-9.99%                                                | ≥10.0%      |

### County Data vs Portland Data

HHS staff has reached out to the ME CDC requesting Portland specific data for COVID 19. The representative from the ME CDC did say that case counts are available by zip code, but that the data is delayed and the positivity rate is not calculated by town or zip code. Below is the data that can be found by zip code for Portland zip codes 04101, 04102, 04103. Please note that data, was unavailable for two other Portland zip codes (04108 & 04109):

| <b>Date reported</b> | <b>count of cases this week</b> |
|----------------------|---------------------------------|
| 7/1 - 7/7            | 115                             |
| 7/8 - 7/14           | 56                              |
| 7/15 - 7/21          | 64                              |
| 7/22 - 7/28          | 38                              |

|             |                             |
|-------------|-----------------------------|
| 7/29 - 8/4  | 42                          |
| 8/5 - 8/11  | 21                          |
| 8/12 - 8/18 | 76                          |
| 8/19 - 8/25 | 11                          |
| 8/26 - 9/1  | 20                          |
| 9/2 - 9/8   | 16                          |
| 9/9 - 9/13  | Complete data not available |

\*\*Case counts are reported based on where the individual lives.

Given the incomplete data available for Portland, staff has recommended that Cumberland County data be used. One reason to consider using the County level data when analyzing positivity and transmission rates is the daytime population change in Portland. According to the City's 2017 Comprehensive Plan "As the state's largest city and urban center for Cumberland County, Portland is home to a large number of employers and jobs. The daily influx of workers means the city's daytime population is often substantially higher than its nighttime population (comprised mainly of residents). In fact, the American Community Survey estimates that the city's population swells to over 96,000 people during daytime hours — an increase in population of over 40 percent.

Another factor to consider is that Portland is an increasingly popular destination for tourists from all over the world, particularly in the summer months. According to the Maine Office of Tourism, in 2014 the Greater Portland/Casco Bay region was the primary region of visitation for 14% of the state's 37.9 million overnight and day visitors, or an estimated 5.3 million people. As the country transitions out of the Great Recession, tourism is on the rise. In fact, traffic volumes along the Maine Turnpike broke records in 2015, exceeding 79.5 million transactions — more than in any year in its 69-year history."

### **Anticipated City Cost Associated with an Indoor Mask Mandate**

The potential costs that would be incurred by the City that are associated with the indoor mask mandate include the purchase of masks and the production of signage. First, with regard to the purchase of masks, the costs would be as provided below. This is less than the costs of masks last year and is due to the decreased cost of masks (\$6 per box as of 9/15/21 vs \$14.63 per box in August of 2020).

| <b>Potential Mask Mandate Costs</b> |                  |                         |
|-------------------------------------|------------------|-------------------------|
| <b>Item</b>                         | <b>Quantity</b>  | <b>Anticipated Cost</b> |
| Masks                               | 2000 boxes of 50 | \$12,000 (\$6 per box)  |
| Signage                             | 500 decals       | \$444                   |
|                                     |                  |                         |
| <b>Total</b>                        |                  | <b>\$12,444</b>         |

\* This financial information is based on quantities purchased for businesses previously during the pandemic.

## **Support and Enforcement**

As with previous masking requirements, the City remains committed to supporting local businesses. Staff will once again do its best to provide signage and supplies to businesses. If there are community concerns around non-compliance of the mandate, those complaints can be directed to our Local Health Officer (LHO) in the City's Public Health Division. The LHO is required by Maine statute and is appointed by the City Manager for a term of three years. The LHO has a unique understanding of strategies to protect citizens from health related threats and is charged with monitoring the community through identifying and/or responding to immediate needs or trends related to health risks for individuals as well as the greater community. The LHO presently works in collaboration with the Permitting and Inspections Department to address common issues such as bed bugs, mold complaints, and hoarding. The LHO fields approximately 8-10 calls/week, of which approximately 1-2 require intervention beyond a phone call (referral to Permitting & Inspections, call to landlord or property manager, visit to site for inspection, etc). If Council chooses to do so, the LHO can be appointed as a constable and sworn in by the City Clerk (the Order to accomplish this goal has been drafted and included on the September 20th City Council agenda). This will give the LHO the ability to cite violations of the City's emergency order.

As has been done throughout the pandemic, if additional support is necessary to comply with this mandate, the HHS department can temporarily divert staff from other projects.

HHS has had discussions with municipal staff from Lexington and Salem Massachusetts, both of which have current indoor mask mandates. Staff in Lexington, Massachusetts reported high compliance with their mask mandate and indicated that a phone call to the business who may not be enforcing the mandate has been enough to gain compliance. Salem, Massachusetts, on the other hand, reported that they receive around 1-2 complaints per day and that they have a progressive approach to enforcement which consists of verbal education, written warnings and finally issuance of a citation/notice of violation. They did note, however, that to date no citations have been issued.

**TO: Mayor Snyder and Members of the Portland City Council**  
**FROM: Danielle P. West, Corporation Counsel**  
**DATE: September , 2021**  
**RE: Survey of Recent State and Local COVID-19 Prevention Measures**

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The purpose of this memo is to provide the City Council with a summary of the research my office has conducted regarding what communities across the country are doing to prevent the spread of COVID-19 in the wake of a resurgence of cases fueled by the delta variant. In particular, the memo discusses three broad categories of policies, which include (1) face covering requirements, (2) vaccination requirements, and (3) gathering/occupancy limits. For each category, we have summarized the prevalence of its use across the country, provided examples of specific policies, and discussed how the measures are being enforced. Although the memo discusses a few state-level prevention measures, the primary focus is on local government ordinances, emergency orders, and public health guidance that may help to inform the City of Portland's future COVID-19 response plans.

For databases tracking state and local COVID-19 prevention policies, see (1) MultiState's [COVID-19 policy tracker](#); and (2) the National League of Cities' [COVID-19 Local Action Tracker](#), which can be filtered by city/state, policy area, and action type (i.e. administrative procedure, recommendation/proposal, etc.).

## **I. Face Covering Requirements**

As of September 1, 2021, [ten states and the District of Columbia](#) have imposed statewide mask and face-covering mandates. Currently, the key variable for mask requirements is whether vaccinated individuals are included in the requirement. In six (6) states (WA, NM, HI, LA, IL, DC), all individuals are required to wear masks indoors regardless of vaccination status. In three (3) states (CA, CT, NY), vaccinated individuals are exempt from the indoor mask requirement. In one (1) state (NV), indoor mask mandates are limited to counties with high transmission rates only. Finally, in one (1) state (OR), mask mandates apply to all individuals both indoors and outdoors.

In addition to the state-level mask mandates, MultiState has identified [approximately 70 county and municipal governments](#) that have imposed some form of mask requirement. Boston is the only locality in New England that has issued an indoor mask mandate that extends beyond government facilities, healthcare offices, and public transportation. Below, is additional detail on Boston's mask mandate, as well as the face covering requirements in Philadelphia and Baltimore.

- [Boston, MA](#): Effective 8/27/21, the Boston Public Health Commission issued a citywide mask mandate for all individuals over the age of five whenever they are indoors on the premises of a business, club, place of assembly or other place that is open to members of the public. The order does not apply to private businesses whose offices are not open to members of the public. The order was issued under the authority of both the Commission's authorizing statutes and the Commission's declaration of a public health emergency that was still in effect. To enforce the mask mandate, the order states that "all reasonable efforts will be made to secure voluntary compliance" but that the order may be enforced through the courts or with the assistance of other City of Boston agencies. The City has published an [FAQ page](#) with additional information on the mask mandate.
- [Philadelphia, PA](#): Effective 8/12/21, the Philadelphia Department of Public Health issued an amendment to the citywide emergency order imposing a face covering requirement for all individuals in any indoor setting unless a business operating at the setting requires everyone on site to be vaccinated and has instituted a reasonable procedure for confirming vaccinations status of staff, customers, and any other individuals present. To enforce the measure, the City is asking businesses requiring proof of vaccination to ask to see patrons' vaccination cards or a photo of the card on their phone. For businesses not requesting either a facemask or proof of vaccination, city inspectors can close a business and charge \$315 to reinspect and reopen operations. In rare cases, the health department can take a business to court and charge fines of up to \$2,000 per day. The City has published a [guidance page](#) that summarizes the law and provides resources on masking and vaccination requirements, checking for proof of vaccination, tips for asking patrons to mask, and restaurant-specific guidance.
- [Baltimore, MD](#): On 8/5/21, Baltimore's Mayor announced a new local health ordinance reintroducing an indoor mask requirement for all Baltimore City residents and guests, regardless of vaccination status. The requirement applies to all individuals over the age of 2 and the City's [FAQ page](#) specifies that masks must be worn by attendees during indoor live performances, by both players and attendees during indoor youth or amateur sporting events, and by all individuals inside health or fitness clubs. The FAQ page also specifies that the indoor masking order is "stricter than other jurisdictions" because "the Commissioner of Health for Baltimore City has more broad authority based on the City Charter." Enforcement measures for failure to comply with the Order includes a misdemeanor conviction and a fine of not more than \$200 for each offense plus \$50 for each day the offense continues. Further, the Commissioner may issue a notice of potential nuisance in the event of any health and safety hazard, which carries a fine of not more than \$1,000.

## II. Vaccination Requirements

In addition to the mask mandates that provide exemptions for individuals showing proof of vaccination, a few U.S. municipalities have begun requiring proof of vaccination for employees and customers at public indoor facilities such as restaurants, gyms, and theaters. Below is a summary of these policies in the three (3) cities where they currently exist.

- [New York, NY](#): In August, New York City's Mayor issued an Executive Order pursuant to the city's Emergency Executive Order in effect that mandates COVID-19 vaccines for employees and customers at public indoor facilities, including indoor entertainment and recreational settings, indoor food services, and indoor gyms and fitness settings. Individuals entering for a quick and limited purpose are exempted from the requirement. In order to comply with the requirement, each business must develop and keep a written record describing the entity's protocol for implementing and enforcing the requirements of the Order. Further the business must post a sign in a conspicuous place that is viewable by prospective patrons prior to entering the establishment that alerts them to the vaccination requirement. Any individual or entity that fails to comply is subject to fine of at least \$1,000 for the first offense; at least \$2,000 for the second offense within the same 12-month period; and at least \$5,000 for every offense thereafter. The City has [published guidance](#) regarding compliance with the Order.
- [New Orleans, LA](#): In August, the New Orleans Mayor issued updated Guidelines for COVID-19 Reopening that require individuals to provide either (1) proof of having at least one dose of a COVID-19 vaccine or (2) a negative PCR test taken no more than 72 hours before entry to any bars, restaurants, gyms, or entertainment/performance venues. The order applies to all individuals eligible to receive a COVID-19 vaccine. Proof of vaccination includes showing an original CDC vaccination card or a digital picture or photocopy of both sides of the card. To enforce the measure, any individual or business found violating the policy is subject to penalty of up to \$500 or imprisonment of several months. Further, the guidelines state that additional enforcement measures may include prohibiting a business from offering take-out services, revocation of a business's ability to open, revocation of any special event or live entertainment permits, revocation of certificates of registration, revocation of alcohol permits, and/or misdemeanor charges for owners, managers, and/or staff. The order specifies that only PCR tests are acceptable and antigen tests cannot be used. The City has [published guidance](#) on the Guidelines.
- [San Francisco, CA](#): On 8/24/21, the San Francisco Health Officer revised the city's emergency Health Order requiring proof of vaccination be shown for individuals over the age of 12 to go indoors at two categories of indoor businesses: (1) those that serve food and drinks (i.e. bars, restaurants, clubs, theaters, entertainment venues); and (2) fitness



establishments, including indoor gyms and yoga studios. Although negative tests results are not accepted in place of proof of vaccination, for the period between August 12-September 15, negative PCR/antigen tests were accepted to attend indoor events with more than 1,000 people in the case tickets were already sold. A violation of the order is considered to be a public nuisance and is punishable by fine, imprisonment, or both. The Department of Public Health is authorized to respond to public nuisances by issuing Notices of Violation and ordering premises vacated and closed until the owner, tenant, or manager submits a written plan to eliminate all violations and DPH finds that plan satisfactory. The city has [published guidance](#) on how to comply with the order.

In all three (3) of the cities that have imposed general public vaccination requirements, there are several acceptable ways an individual can furnish proof of vaccination. Below is a list of the acceptable formats under each of the municipal orders:

- New York: individuals may show (1) a CDC vaccination card (or a photo of one), (2) a health care provider-issued proof of vaccination, (3) a New York City COVID Safe Pass, or (4) a New York State Excelsior Pass.
- New Orleans: individuals can prove vaccination status using (1) a CDC card (can be a photo or photocopy but must include both sides); (2) an official record issued by another state, country, or the World Health Organization; (3) a vaccine trial record for individuals who participated in a clinical trial; or (4) the LA Wallet App.
- San Francisco: acceptable proof of vaccination status includes (1) a CDC vaccination card, (2) documentation from a healthcare provider, (3) a State-of-California-issued digital vaccine card; (4) a digital vaccine card issued by another State, local, or foreign governmental jurisdiction, or a digital vaccine record issued by an [approved private company](#).

As shown in the lists above, many cities and states are issuing digital health vaccination records (often referred to as “vaccine passports”), which can be displayed via a phone application and serve as one acceptable form of proof regarding vaccination status. Currently, 7 US states (CA, CO, HI, LA, MI, NJ, NY) have active vaccine certification apps while 22 state legislatures have issued full or partial bans on the systems. For an overview of the current usage and debate over vaccine certification apps, [see this article](#) published in the MIT Technology Review on 8/31/21.

### **III. Gathering/Occupancy Limits**

As of mid-August 2021, Hawaii was the only state or locality to reinstate gathering restrictions amid the resurgence of COVID-19 cases in the state. Under [Hawaii's Executive Order](#), (1) social gatherings are limited to no more than 10 people indoors and no more than 25 people outdoors; (2) patrons in restaurants, bars, and social establishments must remain seated with parties maintaining at least 6 feet distancing between groups with maximum group sizes of 10 people indoors and 25 people outdoors (masks must also be worn when not actively eating or drinking); and (3) the counties review proposals for all professionally sponsored events for more than 50 people and approval is required for the events. The measures set forth by the orders are enforced by the counties pursuant to county orders, rules, and directives that identify offenses and penalties for each county.

Although we were unable to identify any localities with new gathering/occupancy limits, some of the mask mandates and vaccination requirements establish rules based on gathering size/occupancy. For example, New Orleans's proof of vaccination requirement also imposes outdoor mask requirements for outdoor gatherings of more than 500 people if total attendance is more than 50% of the outdoor venue's capacity. Similarly, San Francisco's proof of vaccination requirement also applies to large outdoor events with 1,000 people or more.

### **IV. Chapter 2 of the Portland City Code**

It is important to note the requirements of Chapter 2 of the Portland City Code when reviewing any potential amendment to the City's emergency proclamation. Pursuant to that Chapter, the City Manager and the City Council have the ability to issue and extend an emergency proclamation declaring that an emergency exists within the City and then issue regulations that are necessary to, among other things, preserve the public peace, health and safety. Chapter 2, sections 2-406 and 2-408. Any violation of such a proclamation or regulation by any person, firm or corporation would be unlawful and could result in a fine of not more than \$500.00 and the costs of prosecution. Chapter 2, sections 2-412 and 2-413.

I will be available to discuss the specifics of this memo in more detail at tonight's City Council Workshop.



Health & Human Services Department  
Kristen Dow, Director

## MEMORANDUM

**To: Jon P Jennings, City Manager**

**From: Kristen Dow, Director of Health & Human Services**  
**Tina Pettingill, Deputy Director of Health & Human Services**

**Date: September 1, 2021**

**Re: Staff Recommendations for City of Portland Indoor Mask Mandate**

At the August 23rd City Council meeting, it was requested that staff from the City's Health and Human Services Department provide information on transmission rates and the recommendations on a mask mandate in the City. Since that time, staff from the HHS Department have reviewed local, state and national data, trends and policies, consulted with the Maine CDC, and reviewed recommendations from local area hospitals. From this research, the following information was gathered:

- With few exceptions, Cumberland County has been wavering between substantial and high transmission rate throughout August.
- Even with a relatively high vaccination rate in Cumberland County (83.4% of eligible populations fully vaccinated), the County positivity rate hovers between 2.5-3%, rising from 1% earlier this summer. Given new evidence on the B.1.617.2 (Delta) variant, as of August 13, 2021, the CDC [recommends masking](#) when indoors for vaccinated and unvaccinated individuals. "If you are fully vaccinated, to maximize protection from the Delta variant and prevent possibly spreading it to others, wear a mask indoors in public if you are in an area [of substantial or high transmission](#)."
- CDC recommendation includes K-12 school age children, recommending universal indoor masking for all teachers, staff, students, and visitors to K-12 schools, regardless of vaccination status.
- Maine CDC stated that they would not take a specific stance on a mask mandate but urged the City to follow US CDC protocols which include masking in indoor environments.
- Masks have been proven to [reduce COVID-19 transmission](#). Masks reduce the emission of virus-laden droplets and the inhalation of these droplets by the wearer. "The community benefit of masking for SARS-CoV-2 control is due to the combination of

these effects; individual prevention benefit increases with increasing numbers of people using masks consistently and correctly.”

- Maine hospitals are at or near capacity with high new admission rates and a shortage of ICU beds to treat all diseases due to the COVID-19 surge. According to the 8/26 press conference, Maine Medical Center’s emergency department is full with patients having to stay in the emergency department because beds are not available.
- Maine hospital leaders pleaded with the general public through a [joint press conference](#) on August 26 to “get vaccinated if you are eligible, wear a mask indoors, practice physical distancing, clean your hands and use discretion when it comes to attending indoor gatherings.”
- Unlike earlier waves of this pandemic, young children (not eligible for vaccination) are impacted and being hospitalized.
- As of 8/31/21, seven states (Hawaii, Illinois, Louisiana, Nevada, New Mexico, Oregon and Washington), as well as the District of Columbia and Puerto Rico have mandated indoor mask use.
- [Over 40 cities and counties](#) across the US have issued, or re-issued, mask mandates including Raleigh, St. Louis, Baltimore, Atlanta, Lincoln and many others. Boston imposed a citywide mask mandate on Aug. 20 which covers all people over age 2 in indoor public places except when eating or drinking.
- 75% of Americans [support masking requirements](#) and these mandates have proven to be effective in [lowering community transmission of COVID-19](#).

## **HHS Staff Recommendations**

It is the recommendation of staff that the City adopts a mandatory indoor mask mandate in all indoor public places in the City of Portland. We recommend the mandate go into effect immediately and remain until the CDC releases new mask guidance or when the Cumberland County transmission rate falls into the low or moderate level for at least 21 consecutive days.

## **Support and Enforcement**

As with previous masking requirements, the City remains committed to supporting local businesses. Staff can provide signage and supplies to businesses as had been provided previously. A large [body of research](#) has shown that signs are effective in changing behavior in a variety of settings with between 75-96% of people complying with signage. Additionally, 85% of Americans are [currently wearing a mask](#) for all or most of the time.

If there are community concerns around non-compliance of the mandate, those complaints can be directed to our Local Health Officer (LHO) in the City’s Public Health Division.



Dena Libner &lt;dlibner@portlandmaine.gov&gt;

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**48-21/22**

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**smccart1** <smccart1@maine.rr.com>

Mon, Sep 13, 2021 at 12:00 PM

To: publiccomment &lt;publiccomment@portlandmaine.gov&gt;

Shaun McCarthy

[500 Baxter Blvd](#)

I would like to submit the following questions o the mask mandate.

Why are you putting this forward if our county is almost 80% vaccinated ?

Why is this being put forward when according to the Maine cdc dashboard, Portland zip codes come in at 99.9% having the first dose ?

Will there be a program to distribute masks ?

Will there be a grant program to make up for the loss of income ?

Why are you now acting on recommendation of Portland health officials instead of Maine and Federal cocktail?

What is the end game ? What happens when Cumberland County is no longer in the substantial risk category? Do you still need to mask in Portland?

Now a few observations and comments.

This will put businesses in Portland at a disadvantage. I've already heard from customers that they will do their dining in other municipalities, as the smokers did when Portland banned smoking.

If this goes in as an emergency, you will kick in the emergency wage increase if this goes into 2022, and I'm guessing you think it will, by the order number.

You spoke of exemptions in your workshop meeting. I feel that restaurants should get an exemption. While we all have to go to Hannaford ,CVS and Maine hardware to get every day needs,, NOBODY HAS to go to a restaurant. It is a choice people make on their own.

Let the people make that choice and support the local restaurants that are barely getting by as it is.

Shaun McCarthy

President

Dock Fore

[336 Fore St](#)



Dena Libner &lt;dlibner@portlandmaine.gov&gt;

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**Fwd: Mask Mandate**

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**Dena Libner** <dlibner@portlandmaine.gov>

Mon, Sep 13, 2021 at 11:14 AM

To: Public Comment &lt;publiccomment@portlandmaine.gov&gt;

----- Forwarded message -----

From: **'Barber, David' via City Council** <Council@portlandmaine.gov>

Date: Fri, Sep 10, 2021 at 4:42 PM

Subject: Mask Mandate

To: council@portlandmaine.gov &lt;council@portlandmaine.gov&gt;

Dear Council,

While Tyson has a mask mandate for those inside the plant, we are deeply concerned that action by the council could be deemed "Emergency" and therefore trigger the Emergency Wage action that begins in January. Conditions are dramatically different from when the state went into lockdown and does not justify a state of emergency condition. Mask mandate is OK but avoid state of emergency position. Many companies including Tyson are already paying considerably more than pre pandemic wages and the added burden of a state of emergency would be particularly damaging.

Sincerely,  
David Barber  
207-232-2741

Sent from my iPhone

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This email and any files transmitted with it are confidential and intended solely for the use of the addressee. If you are not the intended addressee, then you have received this email in error and any use, dissemination, forwarding, printing, or copying of this email is strictly prohibited. Please notify us immediately of your unintended receipt by reply and then delete this email and your reply. Tyson Foods, Inc. and its subsidiaries and affiliates will not be held liable to any person resulting from the unintended or unauthorized use of any information contained in this email or as a result of any additions or deletions of information originally contained in this email.



Dena Libner &lt;dlibner@portlandmaine.gov&gt;

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**Fwd: Mask Mandate**

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**Dena Libner** <dlibner@portlandmaine.gov>

Mon, Sep 13, 2021 at 11:16 AM

To: Public Comment &lt;publiccomment@portlandmaine.gov&gt;

----- Forwarded message -----

From: **Tracy Moore** <Tracy@bayclubfitness.com>

Date: Fri, Sep 10, 2021 at 2:38 PM

Subject: Mask Mandate

To: [council@portlandmaine.gov](mailto:council@portlandmaine.gov) <[council@portlandmaine.gov](mailto:council@portlandmaine.gov)>

Good Afternoon,

My name is Tracy Argondizza, and I am the Owner/GM of Bay Club in One City Center. The club has been serving Portland for 40 years and I have had it for 20. My business, like many in Portland, is barely holding on now that the PPP funds have been allocated. We are 72% down in revenue, 62% down in membership and see 50+ members daily instead of 275+.

I have 15,000 square feet which is a lot of space for 50 members over a 15 hour day. I've lost many to gyms in residential areas and feel if we get singled out with masks, I will lose many others. Our city has been hit very hard and this could be the last nail for many of us.

Thank you for listening.

In Health - trace

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Dena Libner &lt;dlibner@portlandmaine.gov&gt;

## Fwd: Mask Mandate

**Dena Libner** <dlibner@portlandmaine.gov>  
 To: Public Comment <publiccomment@portlandmaine.gov>

Mon, Sep 13, 2021 at 11:19 AM

----- Forwarded message -----

From: **Deirdre Nice** <deirdre.nice@stlawrencearts.org>

Date: Wed, Sep 8, 2021 at 4:01 PM

Subject: Mask Mandate

To: <ksnyder@portlandmaine.gov>, <bsr@portlandmaine.gov>, <sthibodeau@portlandmaine.gov>, <tchong@portlandmaine.gov>, <azarro@portlandmaine.gov>, <mdion@portlandmaine.gov>, <pali@portlandmaine.gov>, Nick Mavadonas <nmm@portlandmaine.gov>, <afournier@portlandmaine.gov>  
 CC: <council@portlandmaine.gov>, Julia Kirby <julia.kirby@stlawrencearts.org>

Mayor Snyder and members of the City Council,

Thank you for calling a city council workshop on a mask mandate discussion for the City of Portland.

St. Lawrence Arts is requiring all patrons to be vaccinated and to wear masks to attend any of our shows, with the exception of removing masks for eating and drinking. We are also requiring all of the performers to be vaccinated, but are not requiring them to be masked while performing.

If the City of Portland's Mask Mandate were to be implemented, St. Lawrence Arts would kindly ask the council to include these limited exceptions to the mask mandate. Most notably having an exemption for performers on stage as well as for audience members while eating and drinking in establishments that offer food & beverage service.

As you are all aware, the past year and a half has been devastating for the local arts community, and although we are supportive of measures needing to be implemented to keep the public safe, we hope those steps include reasonable work arounds so the arts industry can make it through the years ahead as we all dig ourselves out of very big holes.

St. Lawrence Arts and most of our comrades in the performing arts industry are all trying to reopen safely and successfully, and not allowing these limited exceptions to a possible local mask mandate would effectively not devastate our ability to be open. In addition to selling tickets, food & beverage service are two major components of our business models. If a mask mandate is implemented, it must be done so with an exception to allow people to remove masks while eating or drinking in concert venues. Performers must be given the option to remove their face coverings while performing on stage. Many other cities and states have included this exception in their mask mandates, including Oregon and Washington, D.C. and St. Lawrence Arts implores our council to do the same.

Our industry is trying to recover from the financial devastation of the last 18-months of being



closed, and having a local mask mandate without the above outlined exceptions would ultimately destroy our businesses.

Thank you for your consideration.

Best,

~Deirdre

**Deirdre Nice, Executive Director**

St. Lawrence Arts 76 Congress Street Portland, ME 04101

207-347-7177 office 207-749-0570 cell

[www.stlawrencearts.org](http://www.stlawrencearts.org) [www.facebook.com/StLawrenceartscenter](http://www.facebook.com/StLawrenceartscenter)

***Buy Txs To Our Events Here!!***

*Please consider the environment before printing this e-mail and other documents*





Dena Libner &lt;dlibner@portlandmaine.gov&gt;

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**Fwd: Mask mandate**

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**Dena Libner** <dlibner@portlandmaine.gov>

Mon, Sep 13, 2021 at 11:20 AM

To: Public Comment &lt;publiccomment@portlandmaine.gov&gt;

----- Forwarded message -----

From: **Ken Bell** <ken@portlandhouseofmusic.com>

Date: Wed, Sep 8, 2021 at 12:14 PM

Subject: Mask mandate

To: Kate Snyder &lt;ksnyder@portlandmaine.gov&gt;, Belinda Ray &lt;bsr@portlandmaine.gov&gt;, Spencer Thibodeau &lt;sthibodeau@portlandmaine.gov&gt;, &lt;tchong@portlandmaine.gov&gt;, &lt;azarro@portlandmaine.gov&gt;, &lt;mdion@portlandmaine.gov&gt;, Pious Ali &lt;pali@portlandmaine.gov&gt;, &lt;nmm@portlandmaine.gov&gt;, &lt;afournier@portlandmaine.gov&gt;

CC: Lauren Wayne &lt;lauren@statetheatreportland.com&gt;

Hello all, I wanted to write to follow up on what my colleague Lauren Wayne of State Theatre and Thompsons Point sent to you all earlier today.

As owner of Portland House Of Music and Events, safety of staff, guests, and performers has been top priority since reopening in July. We have had 17 soldout shows since reopening, and we were soldout as recently as twice in the past 8 days. We do have a proof of vaccination mandate in place for staff and all guests who enter our venue, and it has been working.

This mask mandate, if left without exemptions, for performers and guests eating and drinking in venues would be total devastation to our industry. An industry that has already suffered 17 months of being 100% closed.

Yes, many of us have recieved federal funding, but that has limited spend guidelines and timelines. These funds will not enable us to recover if a blanket mandate is put into place.

Finally, I understand that there is a lot of information to digest out there, but I did want to share this article from the NY Times. As someone who was hospitalized from Covid, my wife and I do fear it, but we also trust in the science and the vaccine, and at some point we all will need to. As of now, I believe the statistics show we should all trust it.

<https://www.google.com/amp/s/www.nytimes.com/2021/09/07/briefing/risk-breakthrough-infections-delta.amp.html>



Dena Libner <dlibner@portlandmaine.gov>

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## Fwd: Mask mandate

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Linda Fenton <fentol49@gmail.com>

Sat, Sep 11, 2021 at 9:36 AM

To: "publiccomment@portlandmaine.gov" <publiccomment@portlandmaine.gov>

----- Forwarded message -----

From: **Linda Fenton** <fentol49@gmail.com>

Date: Fri, Sep 10, 2021 at 7:46 AM

Subject: Mask mandate

I strongly believe a mask mandate for all indoor public buildings including schools, churches, stores, etc should be mandated in the event that the delta variant is out of control. I am hoping the Portland city council will use good logic on their Monday vote.

Thank you  
Linda Fenton  
Resident  
[198 Concord st](#)  
[Portland Maine](#)



Dena Libner &lt;dlibner@portlandmaine.gov&gt;

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**Fwd: Mask Mandates**

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**Dena Libner** <dlibner@portlandmaine.gov>  
To: Public Comment <publiccomment@portlandmaine.gov>

Mon, Sep 13, 2021 at 11:17 AM

----- Forwarded message -----

From: **Ryan McMann** <rmcmann@maine.rr.com>

Date: Fri, Sep 10, 2021 at 4:14 PM

Subject: Mask Mandates

To: &lt;ksnyder@portlandmaine.gov&gt;, &lt;bsr@portlandmaine.gov&gt;, &lt;sthibodeau@portlandmaine.gov&gt;, &lt;tchong@portlandmaine.gov&gt;, &lt;Azarro@portlandmaine.gov&gt;, &lt;mdion@portlandmaine.gov&gt;, &lt;pali@portlandmaine.gov&gt;, &lt;nmm@portlandmaine.gov&gt;, &lt;afournier@portlandmaine.gov&gt;

Cumberland County is one of the highest vaccinated counties in the country. We've done our due diligence, had the two jabs, wore masks all of last year, and now we are going to reimpose a mask mandate?

Please use some common sense. This will place undue strain on local businesses who will once again have to ask customers to mask up and then police them. This requires staffing and bandwidth that many small struggling businesses simply do not have at this point.

Not to mention many people that I know who have been vaccinated are not going to put the mask back on. They will simply take their business to neighboring towns.

I would ask that you take all of this into consideration before imposing more mandates.

We have put our small businesses through enough over the past year and a half.

Thank you,

Ryan McMann



Dena Libner &lt;dlibner@portlandmaine.gov&gt;

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**Fwd: Portland Mask Mandate**

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**Dena Libner** <dlibner@portlandmaine.gov>

Mon, Sep 13, 2021 at 11:15 AM

To: Public Comment &lt;publiccomment@portlandmaine.gov&gt;

----- Forwarded message -----

From: **Bob Napolitano** <bob@brunosportland.com>

Date: Fri, Sep 10, 2021 at 1:59 PM

Subject: Portland Mask Mandate

To: &lt;ksnyder@portlandmaine.gov&gt;, Belinda Ray &lt;bsr@portlandmaine.gov&gt;, Spencer Thibodeau &lt;sthibodeau@portlandmaine.gov&gt;, &lt;tchong@portlandmaine.gov&gt;, &lt;azarro@portlandmaine.gov&gt;, &lt;mdion@portlandmaine.gov&gt;, Pious Ali &lt;pali@portlandmaine.gov&gt;, Nicholas Mavodones &lt;nmm@portlandmaine.gov&gt;, &lt;afournier@portlandmaine.gov&gt;

Dear Portland City Council,

As business owners in the city of Portland, we feel unfairly targeted by the impending mask mandate that you are voting on Monday night. Like everyone, we are concerned about the impact of COVID-19 on our community. We have implemented all the necessary precautions to help mitigate and prevent any unnecessary spread of the virus in our establishment. If you add the mask mandate to our precautions, we know that our customers will take their business to other restaurants in neighboring towns that don't have a mask mandate. All national data has shown that restaurants are not a driver of COVID-19 transmission and 74.8% of adults in Cumberland county have been fully vaccinated. We encourage our customers to wear masks but a mandate for the city of Portland only creates an unlevel playing field and puts us at an unfair disadvantage.

Our restaurant, like most other small businesses, has endured extreme hardship over the last 18 months trying to keep our doors open. As you vote this Monday, please consider the repercussions your decision will have on our small business and many others throughout the city of Portland.

Sincerely,

Robert B.Napolitano

Vicki J.Napolitano

Bruno's Restaurant and Tavern

33 Allen Avenue

Portland, ME 04103

207 878 9511



Dena Libner &lt;dlibner@portlandmaine.gov&gt;

## Fwd: Potential Mask Mandate for Indoor Spaces re: Athletic Facilities

Patrick Hackleman &lt;pat@cascobaysports.com&gt;

Mon, Sep 13, 2021 at 11:32 AM

To: publiccomment@portlandmaine.gov

----- Forwarded Message -----

**Subject:** Potential Mask Mandate for Indoor Spaces re: Athletic Facilities**Date:** Mon, 13 Sep 2021 08:32:56 -0400**From:** Patrick Hackleman <pat@cascobaysports.com>**To:** [ksnyder@portlandmaine.gov](mailto:ksnyder@portlandmaine.gov), [bsr@portlandmaine.gov](mailto:bsr@portlandmaine.gov), [sthibodeau@portlandmaine.gov](mailto:sthibodeau@portlandmaine.gov), [tchong@portlandmaine.gov](mailto:tchong@portlandmaine.gov), [azarro@portlandmaine.gov](mailto:azarro@portlandmaine.gov), [mdion@portlandmaine.gov](mailto:mdion@portlandmaine.gov), [pali@portlandmaine.gov](mailto:pali@portlandmaine.gov)

Good morning,

My name is Pat Hackleman, owner of Casco Bay Sports here in Portland. We run coed outdoor and indoor sports leagues ages 21+ and have been operating in Portland for almost 15 years. We rent and utilize many indoor and outdoor facilities in the Greater Portland area. As you can imagine, sports & recreation has been very hard hit during the pandemic and our business has been through turmoil for 18 months. Unfortunately, we have been shut down three separate times. Being in Maine we run 6 months of indoor sports programs including Indoor Soccer, Basketball, Floor Hockey, Indoor Flag Football, & more. While we have seen 100% of our outdoor leagues return to normality over the past few months and just recently the indoor sports are now starting to recover. Now that the majority of our customers are vaccinated, people are more comfortable exercising in gymnasiums, indoor turf facilities, bowling alleys, etc. However, some of these programs people will not register for if they are required to wear a mask while exercising. It is extremely difficult to play some of these sports inside maintaining an elevated heart rate while wearing a mask. The indoor facilities that we operate are large compared to the number of people there each hour. They have very good ventilation and we consistently open the doors to circulate air.

If a mask mandate passes for all indoor space in Portland, I am hoping that there will be caveats for exercise friendly businesses. Unfortunately, Casco Bay Sports would lose 50% of our customers from the months of October through March. We have done the right thing throughout this pandemic and been respectful to all the mandates that have been passed down to us from local & state government along with the MPA. We can easily provide proof of vaccination to participate in our sports leagues. Again, over 95% of our customers are probably vaccinated already. Our customers know it benefits them to be vaccinated while participating. We have had just one positive COVID case since we re-opened in March. We are a unique business that does not fall into the category of restaurants, hotels, retail shops etc. I am pretty much begging at this point not to be penalized for what is happening because of the anti-vaccination beliefs of a subset of residents in this area.

Thank you for your time &amp; consideration,

--

Pat Hackleman  
Managing Director



Sports Leagues - Events - Corporate Wellness

[cascobaysports.com](http://cascobaysports.com) @cascobaysports[socialfitnessgroup.com](http://socialfitnessgroup.com)

1053 Forest Ave - Side Entrance

Portland, ME 04103

9/13/21, 11:35 AM

City of Portland Mail - Fwd: Potential Mask Mandate for Indoor Spaces re: Athletic Facilities

PH: 207-613-9960



Dena Libner &lt;dlibner@portlandmaine.gov&gt;

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## Indoor Masks

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**'Molly Urquhart' via Public Comment** <publiccomment@portlandmaine.gov>

Mon, Sep 13, 2021 at 11:16 AM

Reply-To: Molly Urquhart &lt;rosiemuddytoes@yahoo.com&gt;

To: publiccomment@portlandmaine.gov

Good Morning

I am writing to support the Indoor Mask mandate for all public spaces in Portland. While I am vaccinated, I am the mother of 2 boys, 3 & 6, who do not have the option to be vaccinated. While we as a family try to keep them out of indoor public spaces with mixed masking it's not easy. We know that masks are more effective in stopping the spread of covid from the infected individual, than wearing a mask to prevent catching the virus. Both my boys are in school and adding one more layer will help prevent the kids from catching covid outside the schools and bringing it in.

Until we all have the chance to be vaccinated regardless of age, please add one more layer of protection to help slow the spread of covid.

Thank you.  
Molly Hemkens  
164 Frances St Portland, ME

Sent from my iPhone





Dena Libner &lt;dlibner@portlandmaine.gov&gt;

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## Mask mandate vote

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**'Robert Waitkevitch' via Public Comment** <publiccomment@portlandmaine.gov>

Mon, Sep 13, 2021 at 11:24 AM

Reply-To: Robert Waitkevitch &lt;bobwaitkevitch@icloud.com&gt;

To: publiccomment@portlandmaine.gov

I do not agree with the proposed mask mandate indoors in Portland coming up for a vote tonight. This is being rushed through and is not taking many either intended or unintended consequences into account. To have a mask mandate for the city of Portland puts small businesses under a huge burden to enforce, staff and compete with other similar businesses in surrounding towns. The agenda was JUST posted at 11 on the day of the vote and that does not give people enough time to become engaged in this crucial vote. This vote will also put just the city of Portland under a state of emergency which then puts the minimum wage requirements into effect. Staff at small businesses will be put in a potentially confrontational situations. How is it going to be enforced? What businesses will be forced to institute this mandate? What are the numbers being used to as the criteria to put into place and discontinue this policy? Why are county numbers being used to put a much more local mandate into place? The city of Portland has one of the highest percentages of vaccinated populations in the country.

There are many, many more issues with this potential ordinance and I implore the city council to vote against the indoor mask mandate proposal.

This is a poorly thought out and poorly planned proposal that will be devastating to small businesses, employees Portland as a whole

DO NOT vote for it!

Robert Waitkevitch  
436 Fore St  
Portland Maine



Dena Libner &lt;dlibner@portlandmaine.gov&gt;

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## Mask mandate

1 message

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**'Pam Emond' via Public Comment** <publiccomment@portlandmaine.gov>

Mon, Sep 13, 2021 at 10:43 AM

Reply-To: Pam Emond <pamolicious@yahoo.com>

To: publiccomment@portlandmaine.gov

Hi there. Gym owner here and I have a problem with the mandate as it poses a problem with our members. They despise wearing a mask as it restricts their O2 intake and is very taxing on them in general (I know as tracing any cardio is horrible on my cardio vascular system as my heart rate soars because of the anxiety of not being able to breathe properly. As it stands our classes have not recovered from this pandemic and mandating masks would be the demise of our business. Thank you for ur time.

Body by John Inc.  
Pam Emond  
Owner



Dena Libner <dlibner@portlandmaine.gov>

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## Mask mandate

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**Sheera LaBelle** <sheeralabelle@gmail.com>  
To: Publiccomment@portlandmaine.gov

Sun, Sep 12, 2021 at 10:30 AM

Begging all of you to please support the mask mandate! It is crucial for the health of our community. Please!  
Sheera LaBelle



Dena Libner &lt;dlibner@portlandmaine.gov&gt;

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## Mask Mandate

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**'Bruce Mills' via Public Comment** <publiccomment@portlandmaine.gov>

Mon, Sep 13, 2021 at 11:48 AM

Reply-To: Bruce Mills &lt;bamills29@yahoo.com&gt;

To: "publiccomment@portlandmaine.gov" &lt;publiccomment@portlandmaine.gov&gt;

Councilors and Mayor Snyder, Let me preface my statement by saying that we were in the highest state of compliance over the last year shutting down even with secondary contacts frequently. As well as not opening until August instead of June and closing for the winter last year

We are currently working with a staff of 13 when we are usually at 19 . My already stretched and stressed staff would be overwhelmed with having to enforce this AGAIN and 3 of them already expressed to me that they would quit if required to do so AGAIN likely requiring us to reduce to opening only 4 days per week

Other points being that customers will simply go to Westbrook and south Portland further crippling our already tenuous position

The vaccination rate for Cumberland county is quite good comparatively and I believe that the uptick in cases is likely do to tourism that won't be as big of a factor after Labor Day

Bruce Mills  
Amigos Mexican Restaurant



Dena Libner &lt;dlibner@portlandmaine.gov&gt;

## Mask wearing comments...

1 message

J Irving &lt;jcirving@maine.rr.com&gt;

Mon, Sep 13, 2021 at 11:08 AM

Reply-To: J Irving &lt;jcirving@maine.rr.com&gt;

To: "publiccomment@portlandmaine.gov" <publiccomment@portlandmaine.gov>, "jcirving@maine.rr.com" <jcirving@maine.rr.com>, "jirving6@maine.rr.com" <jirving6@maine.rr.com>

Dear Council,

My name and address below;

Jeffrey Irving  
134 Lester Dr  
Portland, ME 04103

I am writing to firmly oppose any mandates or requirements for mask wearing regardless of location such as schools, public offices, retail businesses etc. You will be contributing to many folks getting bacterial pneumonia as a direct result of this mask wearing which provides ZERO effects as even most masks when purchased new CLAIM right on the very package that they DO NOT WORK for Covid-19 or any other virus/bacteria floating around...If they did why this claim from those who make the very masks you want us to wear = BEYOND common sense....

Most people are not fully aware of what happened back in 1917-1918 during what was falsely called the "Spanish Flu" One of the biggest cause for death during that time was caused by Bacterial Pneumonia which was a DIRECT RESULT of everyone being told-forced to wear masks. Bacterial Pneumonia is a known cause of death yet this piece of history has been overlooked and has been often hidden from anyone wanting more information.

I submit one link from the NIAID itself which describes this situation back during the Spanish Flu SAYING the mask wearing was a direct cause of death by inflicting bacterial pneumonia on those wearing masks esp for long periods of time... DISGUSTING that so many are not aware of this...

PLEASE read the following LINK from the NIAID...

<https://www.nih.gov/news-events/news-releases/bacterial-pneumonia-caused-most-deaths-1918-influenza-pandemic>

My last thing I want to share is that any mandate to wear masks shows me that so many folks haven't even read the WARNINGS on so many packages of many different types of masks. Types of masks that I'd be willing to bet many Council Members themselves believe they are protected while wearing one yet take a minute and go look at brand new masks on the shelves and read the fine print. If you haven't the time I have a few photos I took just last week to prove my point... the images are attached..

Thank you for your time and please don't forget the Nuremberg Code as it is illegal to force people by coercion against their own will...Go read the very first paragraph of the Nuremberg Code to see you CAN be held to account for violations of this CODE...

Jeff Irving

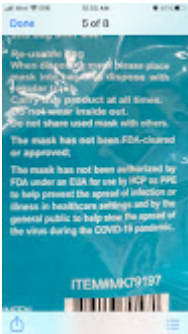
In challenging situations, one thing is always very obvious: the CHALLENGE!

-- What is less obvious, but far more important, is the OPPORTUNITY that each and every challenge presents us.

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**3 attachments**

**Screenshot 2021-09-13 at 10.56.36 AM.jpeg**  
260K



Screenshot 2021-09-13 at 10.55.05 AM.jpeg  
254K



Screenshot 2021-09-13 at 10.57.34 AM.jpeg  
241K



Dena Libner <dlibner@portlandmaine.gov>

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## Masks

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**Alison Kenway** <akenway@gmail.com>  
To: Publiccomment@portlandmaine.gov

Sun, Sep 12, 2021 at 10:47 AM

Please help our community stay healthy by voting FOR a mask mandate indoors in Portland!

Sent from my iPhone



Dena Libner &lt;dlibner@portlandmaine.gov&gt;

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## Please Support City of Portland Ordinance Requiring Indoor Masking

1 message

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**letourneau.lisa@gmail.com** <letourneau.lisa@gmail.com>  
To: publiccomment@portlandmaine.gov

Mon, Sep 13, 2021 at 9:39 AM

To: Portland City Council Members

I am writing to encourage your support to implement the proposed ordinance that would mandate masking in indoor spaces in Portland. As you are likely aware, Cumberland county and surrounding counties continue to remain in a "high" or "substantial" rate of COVID-19 transmission, and local hospitals are operating at a level very close to full capacity caring for individuals seriously ill with COVID. As a clinician and public health advocate, I feel strongly that the data is overwhelmingly clear that masking, together with physical distancing and ongoing vaccination efforts, is a critical tool to slow the spread of the coronavirus, particularly in this time of this aggressive Delta variant surge.

I feel very strongly that our city leaders take all available steps to slow the spread of this virus. I will also share that on a personal level, I see the exhaustion and frustration on a daily basis from my husband who is an ED RN, and my daughter who is an ICU RN, as they struggle to keep up with trying to care for the surge of COVID-19 patients as the virus continues to spread like wildfire in our community. We owe it to them, and to our Portland community, to take all reasonable steps to protect our community through measures such as this.

I strongly urge you to support the proposed ordinance.

Thank you.

Lisa M. Letourneau MD, MPH

58 Atlantic St.

Portland ME 04101

[Letourneau.lisa@gmail.com](mailto:Letourneau.lisa@gmail.com)

C: 207.415.4043





Dena Libner &lt;dlibner@portlandmaine.gov&gt;

**Public comment on Order 48-21/22**

1 message

**Chase Clark** <chaseeverettclark@gmail.com>  
To: publiccomment@portlandmaine.gov

Mon, Sep

Chase Clark  
The Linden, 132 Marginal Way, Portland, ME 04101

I am strongly against any requirement for vaccinated people to have to wear masks in indoor places. To be clear, I believe in sensible covid policies, I support vaccine mandates and I strongly supported mask mandates before the vaccine became widely available. To require vaccinated people to wear masks however, would serve no purpose. While breakthrough infections are possible, the vaccine significantly reduces infection risk, and virtually eliminates risk of death or serious illness. While there has been an increase in covid cases, most of the cases and almost all the hospitalizations and deaths have come from those who were eligible to be vaccinated, but refused. While deaths and illness of willfully unvaccinated people is tragic, it is not vaccinated people's problem nor is it the responsibility of vaccinated people to protect those who have refused to protect themselves. The vaccine is easily available and will remain so and anyone over the age of 12 has had ample time to get vaccinated, at this point, those who have still so far refused to get vaccinated will simply have to face the potential consequences (however tragic they may be) of their own negligence. Additionally, while it would perhaps be reasonable to require masks in elementary schools, those under the age of 12 are at exceptionally low risk of covid, indeed at lower risk of the pandemic than they are of the flu, a broad mask requirement for vaccinated people for due to those under age 12 (who will soon be eligible to be vaccinated) is thus not needed. Lastly, requiring vaccinated people to wear masks, feeds into anti vax conspiracy theories which falsely question the vaccines effectiveness. While the CDC may be recommending vaccinated people to wear masks in certain situations, their recommendations are just that, recommendations not orders. Regardless of CDC recommendations, the fact remains that the vaccine virtually eliminates covid risk. Vaccinated individuals who wish to wear masks and private business owners who wish to require masks for vaccinated people are both already free to do so. While it has been noted that it is hard tell if someone is vaccinated, this is again not the problem or responsibility of vaccinated people and certainly does not justify a requirement that all vaccinated people be forced to wear masks. Vaccinated people have done our part, we put our lives on hold for over a year and got vaccinated so that we could go back to our normal lives, to continue to force vaccinated people to follow covid restrictions is thus not only unnecessary, but gravely unfair. If Portland wants to help reduce covid further, it should require vaccines to force unvaccinated people to be accountable for their own health, not to punish vaccinated people for the negligence of others. Most of America has moved on from covid, it's time that everyone else does as well.

Public comment on Order 48-21/22



Dena Libner <dlibner@portlandmaine.gov>

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## Re: My support for mask mandate in Portland

1 message

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**'Linda Parise' via Public Comment** <publiccomment@portlandmaine.gov>

Fri, Sep 10, 2021 at 6:52 PM

Reply-To: Linda Parise <lparise@aol.com>

To: publiccomment@portlandmaine.gov

I would like to voice my support for the mask mandate. Please vote to ensure the safety of this city. I believe it is very important step to take during this rise in COVID numbers.

Linda Parise  
452 Brighton Ave  
Portland Maine 04102



Dena Libner <dlibner@portlandmaine.gov>

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## Yes on Mask Mandate

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**Leslie silk-Champagne** <silkchampagne@gmail.com>

Sat, Sep 11, 2021 at 12:59 PM

To: publiccomment@portlandmaine.gov

>

> Dear City Councilors: I am writing to strongly encourage you to support a mask mandate for Portland. It is a fact that masks help prevent the spread of covid. It is also a fact that no harm comes from wearing a mask. Thank for supporting this safe, effective means of protecting our citizens.

> Leslie Silk-Champagne

> 115 Hope Avenue

> Portland, ME

# Comments regarding the mask mandate under consideration

External

Public Comment inbox



**Anita Stewart** <astewart@portlandstage.org>

Wed, Sep 8, 11:37 AM (2 days ago)

to publiccomment, Martin, Darrell

Mayor Snyder, City Councilors, Manager Jennings, Director Dow and Director Pettigill:

While I greatly appreciate your quick action on mandating masks throughout the city of Portland to keep people safe during the surge, I am deeply concerned that in your haste to enact legislation, you will do irreparable harm to businesses who need special considerations with regards to such a mandate.

Professional Performing Arts venues have worked hard to establish protocols that would allow us to continue to produce safely. Throughout the darkest days of the pandemic, Portland Stage successfully created safety systems that were sanctioned by the state, unions and reviewed by a member of the Maine CDC task force to allow us to continue producing live theater with the artists on stage performing, unmasked. We have worked hard to establish systems of control to mitigate risk.

Here are some of the restrictions that Portland Stage currently has in place to protect staff artists and audience members:

- All audience members and all staff apart from the actors on stage are required to be masked at all times.
- Portland Stage is requiring that all general audience members show proof of vaccination or a negative COVID test given within 72 hours before they will be allowed to enter our space to watch a performance.
- In our workspace, anyone entering is required to wear a mask as well as report that they were in the space on that day.
- Portland Stage currently mandates that all employees be vaccinated or if they are in a protected class that they follow extreme measures of masking, testing and social distancing.
- Portland Stage currently allows actors who are vaccinated to remove their masks, **ONLY** when they are acting. The production team is tightly podded and as soon as an actor leaves the stage, they put on a mask.

We would be happy to share with you our entire safety plan if there is someone at the city who would like to review all our policies. They have been built with experts and reviewed by Unions to be sure that we are taking the safety of our team into consideration.

An outright ban on being indoors without wearing a mask would be devastating to our business. It is not just Portland Stage but Ovation, the Symphony, the State Theater and Portland House of Music to name a few.

I implore you to exempt performers with professional organizations from the outright mandate. I am happy to answer any questions you might have.

Thank you for your consideration.

Best. Anita

**Anita Stewart**

**Executive & Artistic Director**  
**Portland Stage Company**  
**25 A Forest Ave/ Portland ME 04101**  
**cell: (207) 632-1210**  
**(207) 774-1043 ext 106**  
**[astewart@portlandstage.org](mailto:astewart@portlandstage.org)**  
**she/ her**

----- Forwarded message -----

From: <[benwelch@papechevrolet.com](mailto:benwelch@papechevrolet.com)>

Date: Thu, Sep 9, 2021 at 11:18 AM

Subject: masks

To: <[council@portlandmaine.gov](mailto:council@portlandmaine.gov)>

If you demand indoor masks, my Family and friends will be doing our shopping elsewhere in a different Town. We are vaccinated!

**Ben Welch**

Notice to recipient: This email is meant for only the intended recipient of the transmission, and may contain confidential material. If you received this email in error, please notify us immediately of the error by return email and delete this message and all copies of it from your system. Thank you in advance for your cooperation.

----- Forwarded message -----

From: **Corey LaPlante** <[chiefwaaa@gmail.com](mailto:chiefwaaa@gmail.com)>

Date: Thu, Sep 9, 2021 at 6:23 AM

Subject: Mask mandate

To: <[nmm@portlandmaine.gov](mailto:nmm@portlandmaine.gov)>

Hello Councilor Mavodones,

My name is Corey LaPlante and I am a Portland taxpayer and business owner.

I wanted to reach out and urge you to vote against the proposed city wide mask-mandate.

Masking is a personal choice that is anti science, burdensome for the businesses/residents and didn't work the last time it was tried.

If a mask mandate is passed in the city, I will personally be taking my business out of Portland.

I Appreciate your leadership,

Best regards,  
Corey LaPlante

Sent from my iPhone



# Mask Mandates

Public Comment inbox



**Courtney Spencer** <courtneynspencer@gmail.com>

8:39 AM (7 hours ago)

to publiccomment

Good morning,

I am writing this morning to support reinstating mask mandates in Portland. Even though I am fully vaccinated I continue to wear a mask in public indoor settings such as grocery stores, etc. I do this to protect others, especially front line workers who do not have the flexibility to control their environment as those of us who work remotely can.

Wearing a mask is one small way I can show my commitment to the health of our community and we should all unite around safety as a priority.

Please stand up and take the lead on safety by reinstating the mask mandate.

Thanks,

Courtney Spencer

--

Courtney Spencer

207.831.6911 [Ca](#)

[courtneynspencer@gmail.com](mailto:courtneynspencer@gmail.com)

# Mask Mandate Comments

Public Comment inbox



**David Sawicki** <dsawicki@voicellc.com>

2:56 PM (1 hour ago)

to publiccomment

To whom it may concern:

As the City of Portland considers issuing a "mandate" to require every person to wear a "mask" in in-door public places, please consider the following:

- Be prepared to present published scientific evidence, peer reviewed, that proves wearing a "mask" prevents the spread of a virus particle that is many factors smaller in size than the gaps in the fabric of the masks being worn. Without scientific proof to support this mandate, then we are clearly not "following the science", and such a mandate would be considered an arbitrary dictate imposed by a governmental body. The onus is on your committee to present peer reviewed scientific proof that wearing a mask prevents the spread of any virus to a significant degree.
- Folks who have contracted COVID-19 and recovered now have acquired immunity. According to several published studies (Cleveland Clinic, NIH, <https://www.nih.gov/news-events/nih-research-matters/lasting-immunity-found-after-recovery-covid-19>) peer reviewed, these individuals have stronger, longer lasting immunity than even the folks taking the covid shots. Members of the public with acquired immunity should be exempt from any mandate intended to protect them from contracting covid-19 or spreading covid-19
- Covering one's mouth and nose with a mask can contribute to negative health effects. When we exhale, we expel waste from our bodies to keep us healthy. Re-inhaling that waste for prolonged periods of time can contribute to unnecessary health issues.

**David Sawicki, CEO**

**Voice Teleservices**

56 Northport Drive

Portland, ME 04103

Office: (207) 699-2484

Mobile: (207) 956-2785

[www.voiceteleservices.com](http://www.voiceteleservices.com)

# Indoor Masking Mandate

Public Comment inbox



**Erin Kiley** <erin@portlandfleaforall.com>

Wed, Sep 8, 10:14 AM (2 days ago)

to publiccomment, Kate, Spencer, pali, Belinda, Tae, azarro, mdion, nmm, afournier

Dear Mayor Snyder and Councilors,

Thank you for considering reinstating an indoor mask mandate throughout the city.

Vaccination rates have largely plateaued and in the absence of mask mandates and distancing guidelines, cases have skyrocketed the last 2 months. Nationally cases are four times where they were last Labor Day, and hospitalizations are up 160%. Hospitals here are once again overwhelmed. Maine ICUs have reached new capacities, despite an 80% vaccination rate statewide. The science is clear that we can't do this without a multi-pronged public health approach.

Renewing our mask mandate is one of the necessary protections we need to keep cases down and hospitals unburdened as we head into fall and winter. The state government has been slow to act during the latest wave. People are tired and want things to go back to normal; but they're not normal.

We need your leadership to show the political and public will to put public health first. We can't hide from this pandemic or expect our community to recover without taking bold action towards stopping the virus in its tracks. Please, reenact the mask mandate and put Portland at the head of Maine's solutions to stop this awful pandemic nightmare.

Most sincerely,  
Erin Kiley  
587 Congress St.

From: **Fred Forsley** <[FForsley@shipyard.com](mailto:FForsley@shipyard.com)>

Date: Thu, Sep 9, 2021 at 8:23 AM

Subject: Fwd: Mask Mandate vote next meeting

To: Nicholas Mavodones <[nmm@portlandmaine.gov](mailto:nmm@portlandmaine.gov)>

CC: David Bateman <[David@batemanpartnersllc.com](mailto:David@batemanpartnersllc.com)>, Gerard P. Conley, Jr. <[gconley@maine.rr.com](mailto:gconley@maine.rr.com)>, Jill Lalumiere <[jill@harborviewproperties.com](mailto:jill@harborviewproperties.com)>, Mark Malone <[mark@malonecb.com](mailto:mark@malonecb.com)>, Joe Malone <[Joe@malonecb.com](mailto:Joe@malonecb.com)>

Nick

please do not re instate Mask mandate.

Maybe encourage. But we will Kill All the restaurant s again.

Please ask Mayor Kate not to Mandate it. She could encourage people

>

> Sent from my iPhone

From: **Grace Skerritt** <[gskerritt123@gmail.com](mailto:gskerritt123@gmail.com)>

Date: Wed, Sep 8, 2021 at 9:53 PM

Subject: Mask Mandate Opinion

To: <[bsr@portlandmaine.gov](mailto:bsr@portlandmaine.gov)>, Kate Snyder <[ksnyder@portlandmaine.gov](mailto:ksnyder@portlandmaine.gov)>, <[tchong@portlandmaine.gov](mailto:tchong@portlandmaine.gov)>, <[sthibodeau@portlandmaine.gov](mailto:sthibodeau@portlandmaine.gov)>, <[pali@portlandmaine.gov](mailto:pali@portlandmaine.gov)>, <[nmm@portlandmaine.gov](mailto:nmm@portlandmaine.gov)>, <[mdion@portlandmaine.gov](mailto:mdion@portlandmaine.gov)>

Mayor Snyder and City Councilors,

I'm writing in regard to the potential mask mandate that's being considered. The health of our community is a top priority which I support. I'm also a supporter of personal choice especially in regard to autonomy for business owners. Per the articles published by local papers, this topic was presented based on the personal experiences of a city councilor who is also a business owner in the city and the recommendation for the mandate comes from Kristen Dow. My understanding is that she has a degree in Business Administration but has worked for public health agencies for some time. Based on these credentials, I'm hopeful that you can provide clarification as to why her opinion holds more weight than Dr. Shah and Governor Mills who are not reimplementing a statewide mask mandate.

The data shows that Maine ranks 4th in the nation for the number of fully vaccinated people. We fall behind CT & MA only by .3% and .4%. In Cumberland County, 74.79% of people are fully vaccinated. Over a 7 day period, Cumberland County had 368 positive cases; averaging 52 a day for the entire county. This means that Portland accounts for 0.02% of positive cases a day. The Maine CDC isn't identifying how many positive cases are vaccinated vs unvaccinated or how many are confirmed with the delta variant. Both points are loosely referred to but no data to support the specific claims is provided. That data would be helpful to conceptualize the extent of impact on our community. Additionally, tourism season is coming to an end which is a very important factor to consider. Tourists have a huge impact on public health here in Maine, specifically Portland.

I disagree with Counselor Zarro's claim that there's lack of leadership or direction from the state. The state's position is very clearly cited; "Lindsay Crete, the governor's press secretary, said in a written statement Tuesday that emergency measures, like mask mandates, capacity limits and physical distancing, were needed in the early days of the pandemic, because they were the only tools available. Now, the administration is focusing on getting people vaccinated." He may not agree with it but there's no miscommunication.

From a personal perspective, I work at a public business in Portland that is not currently mandating masks. I recognize that I don't know first hand what businesses that are mandating masks might be experiencing. However, in my experience as a lifelong Portlander I can attest that this community has long been tight knit and the majority of people are respectful. I'm sure there's been incidents at other businesses that would prove otherwise but society isn't perfect and we cannot control the actions of every person.

At this point, everyone is burnt out and wants normalcy where they can find it. If the mandate is implemented then consumers will go to surrounding towns to go out to dinner, get a drink, grocery shop, book stores, retail shops in order to maintain that semblance of normalcy. It will drive customers away and will once again negatively impact small businesses in Portland and the people that work here. Just like all of us, Portland businesses have faced and overcome so much adversity over the last year and a half with no control over the decisions and guidelines that were put in place. That being said, if a business wants to implement a mask mandate then they should have the freedom and right to enforce that policy. Those that feel comfortable at these establishments have the right to support them. But businesses that do not want to mandate their employees or customers to wear a mask should also have the freedom to make that decision. If that makes someone uncomfortable then they do not need to patronize or support that establishment.

My goal is not to discount public health but to advocate for the businesses in this city that have continuously struggled and lost so much. I hope you consider these points when weighing your decision.

Thank you,  
Grace Skerritt  
Forest Avenue, Portland

Sources:

<https://www.pressherald.com/2021/09/07/portland-councilor-wants-workshop-to-discuss-restoring-indoor-mask-mandate/>

<https://www.maine.gov/covid19/vaccines/dashboard>

<https://www.washingtonpost.com/graphics/2020/health/covid-vaccine-states-distribution-doses/>

<https://www.pressherald.com/2021/09/08/maine-reports-732-new-covid-19-cases-over-a-four-day-period/>

# Indoor Mask Mandate

Public Comment inbox



**Isabel Zellweger** <isabelzellweger@gmail.com>

Wed, Sep 8, 11:45 AM (2 days ago)

to ksnyder, publiccomment

Dear Mayor Snyder and Councilors,

Thank you for considering an indoor mask mandate for the city of Portland.

With the absence of mask mandates and distancing guidelines, it has been disheartening, as a resident of the Greater Portland area, to watch vaccination rates plateau and case numbers skyrocket. This time last year we were cheering on healthcare workers and those deemed "essential" for putting their lives on the line, and now, with case numbers roughly four times higher than where they were last Labor Day, it seems we're happy to go about our business as if this pandemic is over. Hospitalizations are up 160%, Maine hospitals are overwhelmed with ICUs at capacity, despite an 80% vaccination rate statewide. Science makes it clear that claiming victory over COVID-19 won't come without a comprehensive approach that includes masking.

Renewing the mask mandate is just one part of the multi-pronged approach to keep case numbers down and hospitals unburdened as we head into fall and winter. The state government has been slow to act during the latest wave and pretend that things are back to normal - they're not.

Residents in the Greater Portland area depend on your leadership to show there's both political and public will to place public health first. We can't hide from this pandemic or expect our communities to recover without taking bold action towards stopping the virus in its tracks. Please, for the sake of community health, economic health, and the wellbeing of healthcare workers and over-burdened hospitals, reenact the mask mandate and put Portland at the forefront of slowing the spread of this god awful nightmare of a pandemic in Maine.

Thank you,

Isabel Zellweger Ransom  
Cape Elizabeth, ME

--

Isabel Zellweger Ransom  
[isabelzellweger@gmail.com](mailto:isabelzellweger@gmail.com)  
293 Fowler Road  
Cape Elizabeth, ME 04107

From: **Janelle LaPlante** <[janelle-erin@hotmail.com](mailto:janelle-erin@hotmail.com)>  
Date: Thu, Sep 9, 2021 at 7:06 AM  
Subject: No Mask Mandate  
To: [nmm@portlandmaine.gov](mailto:nmm@portlandmaine.gov) <[nmm@portlandmaine.gov](mailto:nmm@portlandmaine.gov)>

Good Morning Councilor Mavodones,

My name is Janelle LaPlante. As a resident and business owner in the City of Portland, I encourage you to vote against a city wide mask mandate. We do not need to be going back to where we were well over a year ago when Janet Mills imposed a statewide mask mandate. Mandates are not law and have potential to pit the consumer and business against each other. Masks as well as vaccination status are personal freedom choices. Many businesses in this city are already not faring too well and do not need another factor adversely affecting their operations. Those who are scared have the choice to wear masks, get vaccinated, or utilize curbside and delivery services. I am personally done purchasing from any business that imposes restrictions on personal freedom. This is America and it's due time we start seeing American values upheld by those in power.

I appreciate your service is to this community.

Best,  
Janelle LaPlante

Sent from my iPhone



From: **Janet Raffel** <[janettraffel@gmail.com](mailto:janettraffel@gmail.com)>  
Date: Fri, Sep 10, 2021 at 11:31 AM  
Subject: City Mask Mandate  
To: <[citymanager@portlandmaine.gov](mailto:citymanager@portlandmaine.gov)>

Dear Mr. Jennings:

I am a resident of a multi-family condo building with over 100 units in Portland. It will be very helpful if the new Covid mask mandate for the City specifically states that the mandate covers public spaces in multi-family housing (rental and condominium).

Is there a process for public comment on this bill?

Please don't hesitate to contact me if you have any questions.

Thank you.

Sincerely,  
Janet E. Raffel  
45 Eastern Promenade, Portland, ME 04101  
207-536-0483 (home)  
773-426-6731 (cell).

# Fitness & Potential Portland Mask Mandate

Public Comment inbox



**Joanna Pease** <[joanna@jibecycling.com](mailto:joanna@jibecycling.com)>

Wed, Sep 8, 11:33 AM (2 days ago)

to PublicComment

To Whom it May Concern-

I own Jibe Cycling Studio, a small spin studio with locations in Portland and Yarmouth. As a business owner in Portland, I have done absolutely everything and beyond to keep our studio safe. **We have had 65,000 check-ins and not a single case of covid-19 transmission since June 2020.** That includes outside no masks, inside with masks and distancing, inside with no masks and no distancing.

While a mask mandate for a coffee shop or retail shop may be easy, my riders are done working out in masks. They have done it for 7 months already. It is not only more strenuous and not recommended by the CDC, but it will also severely reduce our membership.. which is already down 30% over 2019. I URGE you to please reconsider this mask mandate, create allowances for fitness studios, or give alternatives, such as proof of vaccination. Our studio is currently 99% vaccinated.. if not fully.

If this mask mandate goes through it will HURT many businesses in Portland. I have a second studio in Yarmouth, and have already considered moving the majority of my classes to this location.. or even closing my Portland location because of loss of ridership due to a possible mandate. This is NOT helpful for a city that is trying so hard to get back on our feet. There are many gyms outside of Portland that will not have this mandate, and with the work force still mostly remote, people will have no problem finding alternatives.

Also, I would like to point out, the CDC states that levels of high transmission are 100 cases per 100k. The latest data that I have seen has Cumberland County at 28 cases per 100k. Portland is also 95%+ vaccinated. We are a ridership that is 99% local, we do not have the same risks as other businesses in Portland with patrons from away.

I appreciated your time and consideration.

Sincerely,

Joanna

Joanna Pease | Owner

[joanna@jibecycling.com](mailto:joanna@jibecycling.com)

207.712.1746 (cell)

Portland, Yarmouth, Charleston



# Please reinstate the mask mandate

Public Comment inbox



**Julie O'Boyle-Sharp** <jkoboyale.media@gmail.com>

Wed, Sep 8, 11:20 AM (2 days ago)

to ksnyder, bsr, sthibodeau, tchong, azarro, mdion, pali, nmm, afournier, publiccomment

Dear Mayor Snyder & Councilors,

Thank you for considering an indoor mask mandate for the city of Portland.

With the absence of mask mandates and distancing guidelines, it has been disheartening, as a resident of Portland, to watch vaccination rates plateau and case numbers skyrocket. This time last year we were cheering on healthcare workers and those deemed "essential" for putting their lives on the line, and now, with case numbers roughly four times higher than where they were last Labor Day, it seems we're happy to go about our business as if this pandemic is over. Hospitalizations are up 160%, Maine hospitals are overwhelmed with ICUs at capacity, despite an 80% vaccination rate statewide. Science makes it clear that claiming victory over COVID-19 won't come without a comprehensive approach that includes masking.

Renewing the mask mandate is just one part of the multi-pronged approach to keep case numbers down and hospitals unburdened as we head into fall and winter. The state government has been slow to act during the latest wave and pretend that things are back to normal – they're not.

Residents of the city of Portland depend on your leadership to show there's both political *and* public will to place public health first. We can't hide from this pandemic or expect our community to recover without taking bold action towards stopping the virus in its tracks. Please, for the sake of community health, economic health, and the wellbeing of healthcare workers and over-burdened hospitals, reenact the mask mandate and put Portland at the forefront of slowing the spread of this godawful nightmare of a pandemic in Maine.

Thank you for your time,

Julie K. O'Boyle  
106 Sherman St. #1  
Portland, Maine 04101

From: **Julie Kiger** <[julie@portlandpoweryoga.com](mailto:julie@portlandpoweryoga.com)>

Date: Fri, Sep 10, 2021 at 10:39 AM

Subject: Request for exemption/consideration of vigorous physical activity for indoor mask mandate

To: <[ksnyder@portlandmaine.gov](mailto:ksnyder@portlandmaine.gov)>, Belinda Ray <[bsr@portlandmaine.gov](mailto:bsr@portlandmaine.gov)>, <[sthobodeau@portlandmaine.gov](mailto:sthobodeau@portlandmaine.gov)>, <[tchong@portlandmaine.gov](mailto:tchong@portlandmaine.gov)>, <[azarro@portlandmaine.gov](mailto:azarro@portlandmaine.gov)>, <[mdion@portlandmaine.gov](mailto:mdion@portlandmaine.gov)>, <[afournier@portlandmaine.gov](mailto:afournier@portlandmaine.gov)>, <[pali@portlandmaine.gov](mailto:pali@portlandmaine.gov)>, <[nmm@portlandmaine.gov](mailto:nmm@portlandmaine.gov)>

Hello,

I am writing again today to request that you please give consideration and logic to excluding vigorous physical activity from your mask mandate.

For instance, if customers are required to wear a mask around the studio and mingling, but can take it off when they are stationed on their mat in order to be able to exercise without one, that would be extremely helpful.

The risk of someone doing yoga, stationary, in a heated environment with more than adequate ventilation and filtration, NOT mouth breathing but nasal breathing, can't possibly be more of a risk that a restaurant full of way more people "actively drinking and eating", since they will inherently be talking, laughing, having a good time.

This seems logical to me and would help me to stay in business (without state/federal financial assistance) if you are going to chose to enact this mandate at this time.

Thank you for your consideration,  
Julie

Julie Kiger  
Owner  
Portland Power Yoga  
[84 Cove St.](#)  
[Portland, Maine 04101](#)  
[portlandpoweryoga.com](http://portlandpoweryoga.com)  
207.761.HEAT  
[julie@portlandpoweryoga.com](mailto:julie@portlandpoweryoga.com)

From: **Rebecca Woll** <[rebecca@shift-portland.com](mailto:rebecca@shift-portland.com)>  
Date: Thu, Sep 9, 2021 at 1:04 PM  
Subject: In favor of Mask Mandate  
To: <[council@portlandmaine.gov](mailto:council@portlandmaine.gov)>

Greetings Portland Council -

I am the co-owner of Shift Portland, a one on one personal training gym on Preble Street. We have been operating in Portland since 2015. For what it's worth, I wanted to reach out to extend my unwavering support for an indoor mask mandate in Portland.

While we are one on one (trainer/client) we hold several sessions in our space at the same time. Without the mask mandate we feel that the best we can do without jeopardizing our income and business is to require our staff to be masked. We have left masking up to the individual client. Some do mask, most do not. Of course this is understandable seeing as they are working out, however as we now know indoor exercise is probably the time masking is most important.

We want nothing more than to keep our staff, clients and all of our families (many of whom have small children) safe. I feel that the indoor mask mandate would give us the back up and authority we desperately need to require everyone in our space to wear a mask and be as safe as possible. So much of implementing rules and regulations around Covid has fallen to the small businesses and there is only so much we can do and enforce without local and state laws to back us up. I believe a mask mandate would make us all feel more comfortable operating our businesses everyday and spur income as more clients would feel comfortable being inside.

I understand we are only discussing a mask mandate but I am also in favor of an indoor vaccine mandate for gyms, restaurants, entertainment venues. I have seen this play out in New York City in several arenas and it seems to be working brilliantly. I'd be happy to advocate for this if the time comes.

Thanks and best,  
Rebecca

--  
Rebecca Woll  
Shift Portland, Co-Owner  
(914) 424-6600

[rebecca@shift-portland.com](mailto:rebecca@shift-portland.com)  
[www.shift-portland.com](http://www.shift-portland.com)

From: **Sam & Bette Novick** <[sbmnovick@cs.com](mailto:sbmnovick@cs.com)>  
Date: Thu, Sep 9, 2021 at 2:54 PM  
Subject: Mask Mandate  
To: [nmm@portlandmaine.gov](mailto:nmm@portlandmaine.gov) <[nmm@portlandmaine.gov](mailto:nmm@portlandmaine.gov)>

Nick:

This is sam Novick at HUB Furniture. Hope all is well. I don't think I have ever written to the city council over any issues. However, I do feel strongly that Portland should avoid the mask mandate until such time as the state or national CDC says such a mandate is in order. There is no good reason as to why Portland needs to take the lead over everyone else. Are we smarter and have better science than the state or federal government? Does Portland know more than South Portland, Cape Elizabeth or Westbrook? Customers like having the choice as to whether to mask or not. We instruct everyone (through signage) that everyone not vaccinated MUST wear a mask.

Thanks for your consideration,

Sam

--

----- Forwarded message -----

From: <[saucie2013@gmail.com](mailto:saucie2013@gmail.com)>

Date: Thu, Sep 9, 2021 at 9:16 AM

Subject: Do not force masks

To: <[ksnyder@portlandmaine.gov](mailto:ksnyder@portlandmaine.gov)>, <[bsr@portlandmaine.gov](mailto:bsr@portlandmaine.gov)>, <[sthibodeau@portlandmaine.gov](mailto:sthibodeau@portlandmaine.gov)>, <[tchong@portlandmaine.gov](mailto:tchong@portlandmaine.gov)>, <[Azarro@portlandmaine.gov](mailto:Azarro@portlandmaine.gov)>, <[mdion@portlandmaine.gov](mailto:mdion@portlandmaine.gov)>, <[pali@portlandmaine.gov](mailto:pali@portlandmaine.gov)>, <[nmm@portlandmaine.gov](mailto:nmm@portlandmaine.gov)>, <[afournier@portlandmaine.gov](mailto:afournier@portlandmaine.gov)>

"Dear Councilor,

When discussing a mask mandate, please consider the option of perhaps asking businesses to post whether or not they require masks. For those of us who have been vaccinated and taken it upon ourselves to protect ourselves and others, a mask mandate is onerous and unnecessary. A mask mandate will hurt Portland businesses and once again make employee's jobs much more difficult. A mask mandate is punishment for those who have done all they can to be safe and keep others safe."

It has been proven masks do not work.

[ksnyder@portlandmaine.gov](mailto:ksnyder@portlandmaine.gov)  
[bsr@portlandmaine.gov](mailto:bsr@portlandmaine.gov)  
[sthibodeau@portlandmaine.gov](mailto:sthibodeau@portlandmaine.gov)  
[tchong@portlandmaine.gov](mailto:tchong@portlandmaine.gov)  
[Azarro@portlandmaine.gov](mailto:Azarro@portlandmaine.gov)  
[mdion@portlandmaine.gov](mailto:mdion@portlandmaine.gov)  
[pali@portlandmaine.gov](mailto:pali@portlandmaine.gov)  
[nmm@portlandmaine.gov](mailto:nmm@portlandmaine.gov)  
[afournier@portlandmaine.gov](mailto:afournier@portlandmaine.gov)

Sent from my iPhone

# Comments for tonight's Mask Mandate

Public Comment inbox



**'Cassi Brooks' via Public Comment** <publiccomm... Sep 13, 2021, 12:03 PM (4 days ago)

to publiccomment@portlandmaine.gov

Good Morning,

As owners of a small business in Portland, the outcome from tonight's meeting on the mask mandate will affect how we run our business. We want to share our concerns regarding the mandate and why we do not support it at this time.

- There's not enough city staff to enforce a mandate, rendering the mandate ineffective at best. That also leaves enforcement to local businesses and increases the possibility of contentious exchanges with customers.
- It takes the decision away from individual businesses and staff. In our case, all staff members are vaccinated. Therefore, masking is a personal decision based on each person's comfort level. This works for us.
- The decision should be based on city-wide infection rates vs county-wide since the mandate affects the city, not the county.
- There's also a very real concern that the mandate will trigger a state of emergency, flowing indefinitely into 2022. The resulting hazard wage will saddle small businesses with increased expenses during the off-season, with so many of them reliant on tourism.

We appreciate your careful consideration,

Cassi Brooks, Meredith Downing, Andrew Gray, and Joe Lorello  
Owners of Coastal Pharmacy & Wellness

Cassi Q. Brooks

Principal

[Coastal Pharmacy & Wellness](#)

29 Marginal Way Suite 4

Portland, Maine 04101

Phone: (207) 899-0886 | Fax: (207) 899-0826







**Joanna Pease** <joanna@jibecycling.com>

Mon, Sep 13, 1:06 PM (4 days ago)

to publiccomment

I own Jibe Cycling Studio, a small spin studio with locations in Portland and Yarmouth. As a business owner in Portland, I have done absolutely everything and beyond to keep our studio safe. **We have had 65,000 check-ins and not a single case of covid-19 transmission since June 2020.** That includes outside no masks, inside with masks and distancing, inside with no masks and no distancing.

While a mask mandate for a coffee shop or retail shop may be easy, gym goers have a much different challenge working out in masks. If this mandate goes through, I believe fitness should be an exception for the following reasons:

**1. Gyms have some of the lowest rates of transmission of any industry:**

*The U.S. collected the most extensive sampling, with 2,873 fitness facilities taking part in IHRSA and MXM's "visit-to-virus" ratio tracker. Of the 49.4 million member check-ins documented in the study, health clubs reported 1,155 cases, translating to a 0.0023% infection rate. Once again, none of the cases led to community transmission.*

<https://www.ihrsa.org/about/media-center/press-releases/global-data-show-covid-19-transmission-in-gyms-is-rare/>

**2. The CDC does not recommend masks for high intensity workouts.**

**3. Portland is already struggling to bring gym members back because offices are closed.** There are many gyms outside of Portland that will not have this mandate, and with the work force still mostly remote, people will have no problem finding alternatives in Scarborough, Westbrook or Falmouth.

We estimate will see a severe decline in our membership, which is already down 30% over 2019. We saw a 25% drop in November '20 with the state mandate.

**4. Our membership is LOCAL.** We do not have the influx of tourists that other industries have, and by last count on the state tracker, Portland was over 95%+ vaccinated.

Also, I would like to point out, the CDC states that levels of high transmission are 100 cases per 100k. The latest data that I have seen has Cumberland County at 28 cases per 100k. Portland is also 95%+ vaccinated. From all the research I have seen, the transmission rates are not the same in Portland as county wide.

If this mandate does go through, I STRONGLY encourage the city council to create an exception for fitness. We are already one of the industries with the lowest transmission, and one that has gotten hurt the most in this pandemic. Since 2020, 1 in 4 gyms have closed. I, along with my counter parts, have jumped through hoops to stay open. While all small businesses had access to PPP, gyms did not receive any additional funding like restaurants and entertainment venues. We may not survive another loss in ridership due to masks.

I appreciated your time and consideration. I am happy to answer any additional questions you may have!

Sincerely,

Joanna

Joanna Pease | Owner

[joanna@jibecycling.com](mailto:joanna@jibecycling.com)

207.712.1746 (cell)

Portland, Yarmouth, Charleston



# Mask mandate

Public Comment inbox



**Cindy Dykes** <dykesc@gmail.com>

Mon, Sep 13, 1:19 PM (4 days ago)

to Publiccomment

I am writing in support of implementing a mask mandate in Portland. It is a simple thing citizens can do to help protect each other.

Respectfully,  
Cindy Dykes

Sent from my iPhone

## Mask mandate written comment

Public Comment inbox



**Renee Fay-LeBlanc** <renee.fayleblanc@gmail.com>  
to publiccomment

Mon, Sep 13, 5:26 PM (4 days ago)

Please see the attached written public comment.  
Thank you,  
Renee

September 13, 2021

Dear City Counselors,

As a medical provider who lives in Portland, I am writing to advocate for an indoor mask mandate for the City of Portland. To maximize protection from the Delta variant and prevent possibly spreading it to others, the US CDC has recommended that fully vaccinated people wear a mask indoors in public in areas of substantial or high transmission. For many weeks, Cumberland County has been designated an area of high transmission and the Maine CDC has recommended all people, regardless of vaccination status, mask while indoors.

The Delta variant is the primary variant across the country and in Maine. This variant is much more contagious than the initial COVID-19 strain and we must use all of the tools that we can to slow the spread of the virus. Masks have been proven to help slow the spread of COVID-19 and are one of the tools we should employ.

Having a city-wide mask mandate will take the pressure off individual organizations and businesses and make all situations clearer for Portland citizens: masks are required everywhere indoors.

It is my sincere hope that we will be able to see a decrease in cases in our community. Until then, mandating masks while indoors is the right thing to do from a public health perspective to keep our community safe.

Thank you for listening to our opinion and for the hard work that you do to lead our city during this difficult time. We would be happy to answer any questions that you may have.

Sincerely,

Renee Fay-LeBlanc MD FACP  
117 Noyes St.  
Portland Maine 04103

# Comment for City-wide Indoor Mask Mandate to be discussed on Monday September 20

Public Comment inbox



**'Erin Chase' via Public Comment** <publiccomment@... Tue, Sep 14, 9:53 AM (3 days ago)  
to publiccomment@portlandmaine.gov

Dear Mayor Snyder and Portland City Council:

I am writing in opposition to the proposed city-wide mandate that masks be worn in indoor public settings regardless of vaccination status.

I drafted much of the content in the body of this email last week, intending to send it prior to last night's meeting. However, I felt like my words weren't coming out right so I abandoned the email. I also got the feeling from the comments after the September 8th meeting that both the mayor and the city council had pretty much made up their minds that, yes, this mask mandate would pass and there was just some clarification needed. I gave up and said to myself, "What's the point? My voice means nothing if they have already decided." I was wrong and a little disappointed with myself that I did not send these comments earlier. My feelings were validated when the points others in opposition made were much like my original thoughts.

My points are as follows:

- I believe it is not appropriate nor necessary to impose a mandate not in effect statewide. I would wonder what makes Portland so unique in its population that the city should impose more restrictive measures than Governor Mills recommends. I trust my state and federal government to make informed decisions regarding mitigation measures against COVID-19.
- If this mandate is approved, it is my understanding that it would be enacted under a city state of emergency even though Maine is no longer in a state of emergency. It is also my understanding that this "triggers" the time-and-a-half hazard pay to workers in a lower wage bracket. It is my opinion that this mandate will greatly impact small businesses in our city and those who haven't already closed may not be able to remain open. This mandate would be extremely impactful to Portland's economy.
- I also wonder about another potential blow to our city's economy if consumers who oppose Portland's mask mandate take their business elsewhere. I know that I have a choice to purchase goods and services from anywhere. I will choose to spend my money in neighboring communities that *recommend*, not *require*, vaccinated people to wear a face covering.
- I would like to see more energy placed on getting people vaccinated than getting people to wear masks. In everything I have read, it is the unvaccinated people who are overwhelming the hospitals and who are dying. It makes sense to address unvaccinated individuals who are most contributing to the spike of COVID cases, not those who have already chosen to do their part and get vaccinated.

Thank you for the open-mindedness to hear other points of view last night. I appreciate your hard work and dedication to Portland.

Respectfully,

Erin Chase  
6 Deepwood Drive

# Neighborhood noise complaint

Public Comment inbox



**'Tom Bloom' via Public Comment** <publiccomment@... Tue, Sep 14, 1:38 PM (3 days ago)  
to publiccomment

To the City Councillors:

My name is Tom Bloom. I live at 95 Walnut St on Munjoy Hill Portland, 04101. I'm writing in reference to the extremely loud amplified music -- and pounding sound -- coming from Maine Craft Distilling, many nights a week, and especially on Sunday, nominally known as a day of rest. It is severely disturbing the peace in this densely settled community. It is impossible to work, or rest, or visit because of the constant pounding coming from the amplified bass and drums. Even though my house is two buildings removed from the MCD bandstand, the pounding continues day and night. I can only imagine the disturbance in the houses and apartments immediately adjacent. It is supremely inconsiderate, and it's only defence is profit on the part of a single business at the expense of us all.

Ironically, I am a musician preparing for an important audition, and cannot practice my piano when this noise is going on, it is so loud. Imagine what this does for people with sick or infirm family members at home.

I'm joined by many folks in the area in this appeal to change the MCD license to cease rock concerts, and to change the licensing procedure to benefit everyone who lives here. Peace and respectful quiet are essential and the neighborhood deserves no less.

Please vote to stop MCD presenting live music outside.

Thank you

Tom Bloom  
95 Walnut St  
Portland ME.  
212-924-8276

Reply

Reply all

Forward

(no subject)

Public Comment inbox



**deb** <debkeen253@gmail.com>

Tue, Sep 14, 3:12 PM (3 days ago)

to publiccomment@portlandmaine.gov

Disappointed by the comments and delay. Always pro business and anti resident, all the time, from all quarters. The surprise is resident and taxpayers ever being on the 'winning side' . Listen to you people, for your excuses and the reasoning is circular.

ENFORCEMENT? The latest myth started by the right wing and chamber "enforcement is impossible" and you eagerly jump on that band wagon. Of course it is not impossible .. we are GETTING \$46 MILLION to show just HOW possible it is. If we cannot spend a VERY small amount to INCREASE staffing specifically FOR enforcement, we do not deserve ANY of that \$46 million slush fund!!! NO PORTA POTTIES at \$100,000 a piece, at least. How many enforcer could we get for THAT? SOME just do not WANT to enforce the rules,laws regulation . WE had ONE parking enforcement guy, he did JUST FINE and has had his FOOT run over MANY TIMES by the irate parkers!!! HE was FAMOUS for his enforcement capability. YES everyone HATED HIM but he did his job with PRIDE, aggression and broken foot many times . WE have manage to enforce red lights, speed limits, seat belt, helmet laws and OUI? Why not mask mandates? Because some recirculate / say "it is impossible to enforce?" COME ON!!

Kristen Dow's memo addresses that. JUST the fact of having a RULE,LAW , regulation , there is 85% compliance. JUST HAVING the rule pushes us 85% of the way there.

MOST people want to follow the rules, BY nature and DO.

If any of you took philosophy or just have common sense, there is a great study about law. LAWS, rules regulation are for the DEFIANT not for those who will "always do the right thing by nature" , upbringing and pure commonsense. Whether they are cave man's rules, Family rules and values, school rules, society established rules , GOD'S rules ( the ten commandments) OR GOVERNMENT LAWS . Societies rules, regulation of human behavior have evolved over time INTO a more civilize society as rules , regulation, laws and evolving CIVIL government, BECAUSE OF BAD HUMAN BEHAVIOR. AND there has always been and will always be "the defiant one" . It is why parents have time out, why school have detentions, the 10 commandments have d confession. It is why we have jails and they are often full.



WHAT ? YOU can't enforce mask mandates??, because JON Jennings says so? Of course, you can choose not to. You do not want to lose votes or offend your friends. YOU are PAID to ensure the laws are enforced. THAT is your MAIN JOB!! If you can't do it that, you have no business here.

Yes we all want to be soft hearted. NO ONE likes confrontation. THERE are clever ways to deal with the defiant. YOU have learned how to do it thru out your life. IN this case, it has been relatively easy... Hannaford and SHAW'S had a person at the door to ENFORCE the rule and it worked, WAS IT easy? NO , any new rule confronts the defiant, the "no one is going to tell ME what to do attitude", but they are NOT let in. They finally comply, if they want groceries and they do. IF you are a PARENT or a school you know how it works. THEY resist at first. You have to stand your ground or it is all over. YOU lose your leadership. It took no more than two weeks of "someone, at the door" , to see near full compliance.

WHY do you resist commonsense, and what you know you will HAVE to do? You do not want to offend your friends, is the bottom line. SOME businesses want YOU to DO IT. It lets them off the hook. YOU want the GOVERNOR to do it , to let YOU off the hook!!! SHE is NOT going to do it. Election years and all. Hell will have to freeze over first. WE count ON YOU. YOU did it , BEFORE, the governor, LAST TIME. EVEN I OBJECTED --ST PATRICK'S DAY, COME ON!! BUT YOU WERE right and, likely saved thousands of lives at the outset . And SHE then followed suit. WE LEAD!! AND YOU set MAINE on a good course. YOU have given PORTLAND ( and Maine) a GOOD starting place. OUR NUMBERS are GOOD. MOST BUSINESSES have worked VERY hard to keep customers and staffer safe. They have been INNOVATIVE and creative. They DID reinvent the wheel. And have been rewarded for that effort, BY HAVING customers. MOST BUSINESS have done BETTER then ever. ESPECIALLY with tax payer paid local, state , and fed MONIES!! They have already been WELL compensated for their losses. And we all know it. Many have had better years then EVER, because of the taxpayer assistance, which WILL continue. MOST BUSINESSES want the MANDATE. They will come out of the wood work NOW. They were HOPING you would act courageously. THEY still want to protect staff and customers. THEY KNOW their businesses count on that. Maybe we need to stop calling it a "MANDATE" , but a required rule with the evolving delta and info.

A friend of mine , who finally “ went back to the GYM “ was OFFENDED there was NOT a mask mandate enforcement . SHE lives in LA COUNTY, CALF. THERE IS NOW. People who want cardio, unmasked can still, run down the street!! And she DID it , every day. BUT she liked being able to be BACK with her normal routine and peer group. And she wanted to do it safely. She is a budding senior, too. Ask those sport people businesses’, how much tax payer assistance they got. They got plenty . We can all look it up. ANY business knows ONE OUTBREAK , tracked to them , will ruin their business. THEY want to be seen as safe.

OUR hospitals are full. MMC serves the whole state. Community hospitals else where , are NOT equipped to deal with covid .Their patients are being sent here. I can control and DO, my covid exposure. I STAY HOME, I MASK, I limit contact. I SAVE MONEY, I take ZOOM classes, I am fully vaccinated and cannot wait for my BOOSTER. I cannot control, a hospital being full , when I need their NON covid services. THERE are 14.9% of Portland resident who are 65+, another 8.9% who are disabled. WE are NOT engaging in the economy, voluntarily . That is MY life and that of most of my peers.

AT least, 25% of Portland residents are still NOT engaging in the “ Portland economy”, per se. DO NOT disregard us or our needs or our MONEY. WE are STILL staying home, going where it is safe to go. WE are doing what it is safe to do. WE are protecting ourselves, IN OUR own back yards. Our lawns are cleaner, greener, more primped then ever. We’ve stockpiled groceries, till the cow come home. OUR freezer are full, so is our toilet paper supply. e are/ have discovered shopping online, ZOOM classes ( and how to use it), and home deliveries. YOU can rake in 40 degree weather , who KNEW!?! We have added to our cable subscriptions. I reduced my grocery shopping, as people unmasked at Hannaford. 4 weeks ago, myself and ONE other woman, were the ONLY one’s masked. HAVEN’T these people HEARD of DELTA!! OUR numbers are good, but I and my peers, are not taking any risks. We worked too hard and sacrificed so much, to get here, to let covid in. NOW .

AT first out nursing homes were attacked by covid. BROUGHT in from outside. Making people, wrongly believe, oldster were MORE vulnerable. NOW, a year later, our schools are being attacked and we find kids are vulnerable too. THEY had been safely at home, all year living, in a bubble. And NOW they too are in congregate sites , called schools. 18 cases in ONE week in our schools, with HIGH teacher/staff vaccination rates ( 90-94%). YEAH COVID is still out there. No matter how much we want to be “back to

normal“. NO matter how much we want to ignore that our ICU beds are fuller then ever, CASES are HIGHER then ever , hospitalization are HIGHER then EVER. MEDICAL are staff are BEGGING us to vaccinate and mask up.

City HALL is basically still closed , what a YEAR plus now? And requiring ,WE MASK. You do GOOD in protecting YOURSELVES !! Can you not see the hypocracy in it? WHY NOT THE REST OF US??? VOTES? The “economy? The business community? YOU have \$46 MILLION IN FREE MONEY, surely you can “ find the money” in \$46 million to designate “enforcers!!” What utter baloney!! WHAT an excuse. IT IS COVID MONEY, FOR CHRIST SAKES!! NOT XMAS IN September!! THAT IS WHAT THE MONEY IS THERE FOR: TO PREVENT COVID!! Masks do that. HELLO!! Back to basics.

TOO BAD, you do not want confrontations. IT doesn't have to be a confrontation. POST some one at the door, WITH PPP MONEY ! NO mask, no entrance. CITY HALL DOES IT . Hannaford and Shaw's did it and can again. YEAH people will “ go mouthy” and maybe worse. It will last for two weeks, if that. Bars have BOUNCER, always have. WE deserve OUR Freedom and liberty too. THE compliant one's, need a reward for once!!! OUR FREEDOM is IN A MASK!! AND it is OUR TAXPAYER MONEY!!! WHY IS IT THE MOUTHY ONE'S, always get the attention?

I and the 25% of Portland can and DO, continue to stay home and KEEP our money OUT of the “PORTLAND economy” and shop at amazon!!! SEE many grey haired ladies and men at the bars? Or in the old port at night? LOOK around YOU!!! AND THINK. YOU are alienating US.

Laws and rules are MADE for the defiant NOT the compliant. WE do not HAVE to have seat beat, helmet, red light , speed enforcement, any more... because THE FINES are enough to force compliance. YES it too was “HARD at first”. BUT people complied. SUCH a fuss over a TINY little mask and a little inconvenience. It is health NOT POLITICAL . DO the right thing, and you know what the right thing is. MILLS is NOT going to “save” you. THAT IS politics.

From: **Bill Weber** <[wjweber77@gmail.com](mailto:wjweber77@gmail.com)>

Date: Tue, Sep 14, 2021 at 3:14 PM

Subject: Masking is Pro Business

To: <[council@portlandmaine.gov](mailto:council@portlandmaine.gov)>, Eamonn Dundon <[edundon@portlandregion.com](mailto:edundon@portlandregion.com)>, Kate Snyder <[ksnyder@portlandmaine.gov](mailto:ksnyder@portlandmaine.gov)>, <[citymanager@portlandmaine.gov](mailto:citymanager@portlandmaine.gov)>

Here is something you should consider relative to the indoor mask mandate. The CDC guidance being practiced in our public schools is that a vaccinated person need not quarantine if they are exposed to a positive confirmed case and continue to mask. Masking and vaccination are a one-two punch. Doing one without the other is like trying to fight with one arm tied behind your back. Both the vaccination and universal masking are pro business. Do business owners understand that one case could shut down their shop if their employees aren't masked? I'm not sure the regulated community is aware of this. Thank you for considering.

--

Bill Weber  
66 Roaring Brook Road  
Portland, ME 04103  
(207) 232-9802

# Mask Mandate

Public Comment inbox



**Andrew Vellani** <ajvellani@gmail.com>  
to publiccomment@portlandmaine.gov

Wed, Sep 15, 3:08 PM (2 days ago)

Good afternoon,

My name is Andrew Vellani and I have resided at 571 Allen Ave, Portland, ME 04103 for over a decade.

In light of the COVID-19 Delta variant and a surge in positivity rates and hospitalizations in Maine. I am urging the council to enact a mask mandate without delay. All available actions to mitigate infection must be taken.

Regards,  
Andrew Vellani

## In support of a mask mandate

Public Comment inbox



**Zara Bohan** <zara.bohan@gmail.com>

Thu, Sep 16, 8:03 PM (19 hours ago)

to azarro, publiccomment

Dear Councilor Zarro,

Thank you very much for bringing your mask mandate proposal before the Portland City Council. I am writing in support of a mask mandate as a resident of district 4, a parent of two young children, and as a business owner.

With rising case numbers and hospitalizations Portland needs to take action to combat the spread of COVID-19. Short of vaccine requirements as seen in California (which I would also support), masking remains the most effective way of keeping our community safe and I urge the Council to adopt a mask mandate as soon as possible.

If our four year old can wear a mask all day long at school, adults can manage to wear one to do their grocery shopping.

Thank you,

Zara Bohan  
Owner, Coveside Coffee  
District 4 Resident

# please enact mask mandate

Public Comment inbox



**S Bonham** <[sbonham.md@gmail.com](mailto:sbonham.md@gmail.com)>

1:06 PM (2 hours ago)

to bsr, publiccomment

Hello Councilor Ray and our city leadership,

Thank you for the robust support you have provided during the COVID pandemic. I am writing to strongly request a new mask mandate to be enacted as quickly as possible.

I am a Portland resident, a physician, and a mom to two kids who are too young to be vaccinated. We know this:  
Masks work.

The Delta variant spreads faster and is more deadly.

The risk to kids has skyrocketed.

Our lives are harder now than they were last winter, before the mask mandate was lifted. We cannot safely go to the grocery store, to our local coffee shop, or to the library. We love Portland but are barely living in it, because we can't trust others to keep our kids safe. Mask mandates certainly don't fix all the problems, but they do make a big difference and that is what we need now.

Thank you

Shuli Bonham

80 Portland St, Portland 04101

**Shulamith (Shuli) Bonham, MD MPH (she/her/hers)**

**Clinical Director, Ryan White and Infectious Disease Program**

**Greater Portland Health, Portland Maine**

[sbonham.md@gmail.com](mailto:sbonham.md@gmail.com)

651-261-0514

# Mask Mandate Comment

Public Comment inbox



**Nathaniel Baldwin** <nathaniel@portlandfleaforall.com>

Fri, Sep 17, 3:52 PM (3 days ago)

to publiccomment, ksnyder, bsr, pali, nmm, afournier

To Whom It May Concern:

My name is Nathaniel Baldwin and while I am not a resident of Portland - I live just over the town line in Falmouth - I do own a business and manage an apartment building in downtown Portland: the Portland Flea-for-All and the Hammond Heirs building at 587 Congress Street. As such I have a vested interest in the proposed mask mandate that you are considering and I feel strongly that it should be adopted throughout the city. I am acutely aware of the pandemic fatigue that is gripping this country right now and I for one am more than ready to move on, but I also recognize that that will never be possible until we get our case numbers down and vaccination numbers up. Part of that equation is making hard choices and showing leadership. We have tried to do that at our business by putting a masking mandate in place again since this summer, but I fully realize that my steps as an individual business owner will have little to no effect on the city as a whole. I'm hoping the city council will take the same hard steps to require masks throughout the city that may annoy some in the short term but help us all in the long run.

Lastly, I want to say that waiting for the decision to be made for you by ever-increasing case counts and hospitalizations should not be a viable alternative. Ask any nurse or doctor in an ICU in Maine right now what their thoughts on that might be and I would wager they would say that moment has already come.

Kind regards,  
Nathaniel Baldwin

Nathaniel Baldwin  
[Portland Flea-for-All](#)  
585 Congress Street  
[207.370.7570](#)  
[facebook](#) | [instagram](#)  
Sent from [Polymail](#)



# Comment regarding Order 48-21/22

Public Comment inbox



**Riley Fenner** riley@fenner-law.com via portlandmaine.gov  
to publiccomment

8:32 AM (3 hours ago)

I urge the city council not to adopt the proposed emergency order that would generally require all individuals to wear masks whenever they are in an indoor public space, including all businesses and places that are open to members of the public, regardless of whether or not they have been vaccinated against Covid-19. This order as written would appear to apply to my business, a small law office where I primarily represent individuals with claims for Social Security disability benefits, and does not include any clear exception for conference or meeting rooms that are open to the public only by appointment. Since March of 2020, the Social Security Administration has not been conducting in-person hearings regarding disability claims due to the pandemic. Since then they have allowed the option of proceeding with these hearings via telephone, and since March of this year they have also allowed the option of proceeding with these hearings via remote video.

For those who have become accustomed to regularly taking part in meetings via remote video from their homes, it may be easy to forget that many disadvantaged members of our society, including many of my clients with claims for disability benefits, do not have the ability to take part in remote video proceedings from comfortable homes. Since Social Security has given us the option of proceeding with these hearings via remote video, many clients have opted to ask that their hearings be scheduled to take place via remote video in a conference room at my office, so that they can be seen by the Judge who will decide their case and be in the same room with their lawyer, rather than unseen on the telephone in a remote location by themselves. Many of those hearings are now scheduled for the upcoming months before the end of this year. Forcing clients who cannot participate in their disability hearings via remote video from home to wear masks during their hearings (which are not "open to the public") regardless of their vaccination status or personal preference, due to the fact that my office is located within the city of Portland, will make it more difficult for them to communicate and testify about their medical impairments and inability to sustain full-time employment during what is already a very difficult and stressful process for them.

Although I believe the proposed order should be rejected in its entirety and would look into relocating my business outside the city of Portland if it is enacted, I urge that it at least be amended to include a more clear exception for indoor conference and meeting rooms that are open to the public only by appointment. Increased rates of vaccination, not a return to indoor mask mandates, will effectively reduce severe illness and hospitalizations due to Covid-19. We continue to hear repeatedly that the vast majority of people who are currently becoming severely ill or hospitalized due to Covid-19 are unvaccinated and that "breakthrough infections" among those who are vaccinated remain rare and usually do not result in severe illness. Although I am also not advocating for a requirement that businesses in Portland require members of the public to show proof of vaccination, I would prefer that over the proposed return to an indoor mask mandate within the city.

Respectfully submitted,

Riley L. Fenner (legal residence address is 23 Noyes St., #1F)  
Attorney at Law  
97 India Street  
Portland, Maine 04101  
(207) 785-6222 - Phone  
(207) 470-1009 - Fax  
[riley@fenner-law.com](mailto:riley@fenner-law.com)

# Masking indoors

Public Comment inbox



**mary ellen randall** <mary.e.randall@gmail.com>

8:35 AM (3 hours ago)

to publiccomment

I am writing in support of indoor masking requirements in Portland until such time as Covid is no longer causing hospitalizations and deaths and when all residents including babies and children have had the opportunity to be vaccinated. Currently our Covid risk is rated as very high and with the colder weather coming, indoor locations need to be made safer. We also still have tourists coming to Maine from other states, some of whom will inevitably be bringing illness here. Please protect the employees and customers in Portland by requiring indoor masking. Thank you!

Mary Ellen Randall  
202 Concord Street

Reply

Reply all

Forward

# Order 48-21/22-Enacting a Mask Mandate

Public Comment inbox



**Julie Kiger** <julie@portlandpoweryoga.com>

Sun, Sep 19, 6:43 PM (17 hours ago)

to publiccomment

I am commenting once again to strongly request that the council not pass this emergency order mandating mask wearing in indoor settings.

To recap:

- I understand and I am on board with the fact that we all want to do what we can to mitigate the community spread of COVID 19 in Portland.
- I am doing everything that I can do mitigate the spread of COVID at my place of business. I have invested thousands of dollars and time in proven and effective air filtration and ventilation, along with implementing measures to reduce duration and density of classes, as well as strenuous and consistent cleaning. In fact, we have had zero transmission of COVID at my place of business.
- My business is centered entirely around an activity that cannot be done with a mask, and I would argue that wearing a mask while doing it is borderline unsafe for other reasons: exercising vigorously in a hot, humid environment.
- My business cannot stay open and survive the lack of revenue that would come from enacting a mask mandate, putting the livelihood of not just myself but my employees at risk, especially when you have not offered any funding to make up for lost revenue if this were to pass and become law. To say nothing of being able to pay the hazard wage.
- Businesses like mine are an absolute necessity right now to keep Portland physically, mentally, and emotionally healthy. The strain of the pandemic is felt by all, all day long, and it's crucial that our services be available to reduce other health risks and potential COVID co-morbidities.
- We are not being flippant or pretending the COVID is over/doesn't exist. We know what to do with our individual businesses to mitigate spread AND keep our doors open. Please let us do that so that we can continue our road to recovery.

Thank you for your consideration,  
Julie

Julie Kiger  
Owner  
Portland Power Yoga  
84 Cove St.  
Portland, Maine 04101  
[portlandpoweryoga.com](http://portlandpoweryoga.com)  
207.761.HEAT  
[julie@portlandpoweryoga.com](mailto:julie@portlandpoweryoga.com)



**Julie Kiger** <julie@portlandpoweryoga.com>

8:48 AM (3 hours ago)

to publiccomment

I have two additional comments:

This proposal is based on county wide data but it's not a county wide mandate. People will simply employ the option to take their business to any neighboring town that keeps masks optional.

If this proposal is to pass, please include an exemption process for those of us (particularly in the fitness sector) for whom it would be irreversibly detrimental and are fastidious about other mitigation efforts on our own.

Thank you,  
Julie

Julie Kiger  
Owner  
Portland Power Yoga  
84 Cove St.  
Portland, Maine 04101  
[portlandpoweryoga.com](http://portlandpoweryoga.com)  
207.761.HEAT  
[julie@portlandpoweryoga.com](mailto:julie@portlandpoweryoga.com)

# Public Comment regarding the mask mandate for Portland

Public Comment inbox



**Emily Connelly** <emily.e.connelly@gmail.com>

9:43 AM (2 hours ago)

to publiccomment

Submitted for public comment regarding requiring masks indoors in Portland -- thank you!

My name is Emily Connelly and I live at 80 Bartley Avenue in Portland.

I am writing in support of a citywide indoor mask mandate, as a resident of Portland and as a parent of two children too young to be vaccinated against COVID-19. Our family has been extremely fortunate to be able to do all we can to keep our children, and our older family members, safe from the virus -- all of us who can be vaccinated, and we have spent the pandemic severely restricting where we go inside to limit our exposure. This virus is airborne and the Delta variant is highly contagious, and we are unfortunately seeing the impact of loosening restrictions--both masking and otherwise--during this phase of the pandemic. Case numbers continue to rise, as do hospitalizations, and we are sadly seeing that vaccinations alone aren't enough to prevent the spread of this virus. Your decision regarding the mask mandate could save the lives of those who haven't been able to get vaccinated yet, and could help prevent further spread of a virus that can have lasting impact on those who get it.

As someone with children too young to be vaccinated, we are continuing to keep our time inside restricted to those places that are taking masking and other COVID safety steps seriously. If Portland required masks inside, I and I'm sure many others with unvaccinated young children would feel more comfortable visiting those businesses, because I would know that it was far less likely that I would catch COVID and bring it home to my kids.

Keeping our community healthy should be a top priority. We are still very much in this pandemic, and your decisions regarding masks can have a huge impact on ensuring more of us survive it.

Thank you.

--

Personal pronouns: she/her/hers

# Mask Mandate

Public Comment inbox



**Michelle Tsiakaros** <michelle.tsiakaros@gmail.com>

10:00 AM (2 hours ago)

to publiccomment

Hello,

My name is Michelle Tsiakaros, and I am a Portland resident, located at 3 Salem Street, Portland ME 04102.

Portland needs a mask mandate in place. Leaving it up to business owners is unfair to both the public and the businesses. As a government body it is your responsibility to keep us safe and frankly you have not been doing that. The idea to sit and wait until things get worse is so irresponsible. We have seen in other places in the country, such as Los Angeles, that mask mandates have reduce the number of COVID-19 cases. It is a no-brainer to learn from them and do the same.

As the child and sister of nurses, who have been depleted by this pandemic, in large part due to the lack of public leadership, it is not too late to take action and set a mask mandate. The idea that the COVID-19 pandemic is behind us is flat out wrong and now we are leaving our children vulnerable to the worst outcomes. I urge you to put a mask mandate in place, it is what this city needs now. Thank you for listening to my public comment.

Best,

Michelle Tsiakaros

Reply

Reply all

Forward

**smccart1@maine.rr.com**

10:19 AM (2 hours ago)

to publiccomment

Shaun McCarthy

500 Baxter Blvd

First , a few questions that I would like to be asked before voting on 48-21/21, the mask Mandate.

Why are you doing this when Cumberland County has a vaccination rate approaching 80% if not higher already ?

Why are you doing this when according to the State of Maine Vaccination dashboard, every zip – code in Portland has had at least the first dose of the vaccine ?

Is there a grant program to cover the loss of income that will happen when customers decide to go to South Portland to dine , work out of grocery shop ?

How do you expect the two health inspectors and four code officers to enforce this mandate when they are already spread thin ?

Why are you deciding not to listen to the State and follow their guidelines as you have all along ? Has someone at the city level all of a sudden come have better information than the State does ?

If so, I hope that you will share it with us and the State.

A few observations now.

If this mandate passes, it will take a great toll on Portland businesses. I have already heard from regulars, that they will go to surrounding communities , where they will not have to wear a mask, and spend their money. Same thing from tourists. Many have said that they will travel to a different state to spend their money. You are also going to be placing a heavy burden on servers, cashiers and front facing workers to be the "mas police". There have been widespread reports of harassment of these workers and in some cases, even assaults.

Please do not pull the rug out from under many businesses that are close to not making ends meet as it is. Let the business owner decide if they want to have customers mask or not mask. Many are doing so now, and unless I'm mistaken, Councilor Zarro does not let people inside his coffee shop. That was his decision and maybe it works for him, but will not for everyone. When people choose to go out to eat or go to the gym, they are making that decision on their own. You do not have to do either, and you choose where you go. A business that requires a mask, or a business that does not.

Now to the numbers. The State admits that they do not have a good grasp on the numbers they release, and many times, the positive numbers are being repeated. The majority of new admissions for covid are from unvaccinated people. That is where the problem lies. The President stated it clearly, this is a pandemic of the unvaccinated. Or city of Portland, in Cumberland County, according to the State numbers doing a great job on the vaccination front. Please do not pass this mandate. Follow the State as you have all along, and let businesses decide on their own if they want to have customers masked.

Shaun McCarthy

President

Dock Fore

336 Fore St

# Mask Mandate

Public Comment inbox



**Marissa Comeau** <circuitouss@gmail.com>

10:45 AM (1 hour ago)

to Publiccomment

Hello all,

It's been alarming, to say the least, to watch COVID-19 case counts rise across the country, and especially here in Maine, where the number of hospitalizations and people on ventilators have reached record highs. Given this information, I implore the Portland City Council to institute a mask mandate, effective immediately.

Though I'm empathetic to the fact that people are tired of wearing masks, I firmly believe that public safety and the health and welfare of my friends, neighbors, and all members of our community takes precedence over personal convenience. Reinstating a mask mandate will help curb the spread of current variants and, when combined with vaccination, can prevent the emergence of new variants. This will go a long way toward not only protecting the people of Portland, but also toward supporting the local economy by ensuring that workers can do their jobs safely and that businesses can remain open.

Reinstating the mask mandate may not be the popular choice, but it is the right one. Please, esteemed councilors, support this mask mandate.

Sincerely,  
Marissa Comeau  
263 Ray St  
Portland, ME 04103



# Please reject the mask mandate measure

Public Comment inbox



**Megan Roberts** <m.g.roberts90@gmail.com>

10:48 AM (1 hour ago)

to publiccomment

Portland City Council,

Thank you for your thoughtful consideration on the complex issue of a city-wide mask mandate for indoor public spaces. I know there are a lot of strong opinions on this topic and appreciate you taking the time to think through all the implications for our local businesses and city citizens.

I am writing to again urge you to **please reject** an additional mask mandate.

Intermittent mask-wearing in restaurants and bars is at best difficult to enforce, and at worst silly hygiene theater. Getting fully vaccinated is the best possible protection against serious illness: far more effective than mask wearing. Those of us who have done our part (stayed home for over a year, wore masks when there was no vaccine available, and got vaccinated right away) should be allowed to go back to our normal lives.

It's hard for me to understand what the end game is in all this. It seems clear that COVID-19 is very likely to become endemic in the population: does this mean we should expect cyclical mask mandates in perpetuity? Where do we draw the line? It's been 18 months and we have highly effective vaccines now: let's focus on vaccination (and even vaccine requirements) and move on from mask mandates.

Respectfully,

--

Megan Roberts  
Cottage Street, Portland ME

# Reinstate Mask Mandate Now!

Public Comment inbox



**Stay On Mars** <rizinginlife@gmail.com>

to publiccomment

11:28 AM (57 minutes ago)

Hi All

Please reinstate the mask mandate!

The community needs real leadership right now.

At the very least reinstate it for bars and venues.

All the best,

Zack Mullin

Concert Organizer

PPS After School Program Director

# Mask mandate

Public Comment inbox



**Kaitlin Alberto** <kaitlin.alberto@gmail.com>

11:43 AM (42 minutes ago)

to publiccomment

Dear City Council,

My name is Kaitlin Alberto of 293 Deering Ave, Portland, ME 04103. I am writing in favor of a mask mandate in the city of Portland.

I have 2 small kids. One is only 10 months old and unable to wear a mask. With cases surging in Maine, I worry about both my kids who are too young to be vaccinated. Given that my 10 month old cannot wear a mask, I only take her in stores that have their own mask mandates, mainly the Portland Food Coop. It is too much of a risk to be out with her around unmasked folks inside. I would feel much more comfortable if masks were required in all indoor settings.

Additionally, it just seems logical to initiate a mask mandate while the hospitals are overrun. I believe we owe it to our healthcare workers.

Warmly,

Kaitlin

# Please Reinstate Indoor Mask Mandate in Portland

Public Comment inbox



**Madeline Scharff** <madscharff@gmail.com>

11:45 AM (41 minutes ago)

to publiccomment

Dear Mayor Snyder and Councilors,

Thank you for considering reinstating an indoor mask mandate throughout the City of Portland. It is gravely needed.

Vaccination rates are not where they need to be in order for the U.S. to overcome the deadly COVID-19 pandemic. In the absence of a mask mandate and distancing guidelines, cases have skyrocketed the last 2 months especially given all of the tourists Maine and the City of Portland saw over Labor Day Weekend. Hospitals are overwhelmed, the hospitality + service industry that Maine relies on is overwhelmed, and Maine citizens are overwhelmed. We deserve to have safety precautions put into place to help protect us from this deadly pandemic.

As a social media manager who works in the hospitality industry in Portland, I know how important an indoor mask mandate is. I know all of my co-workers will feel safer with the mandate being reinstated. Renewing this mandate is 100% necessary and will help keep cases and deaths down as we head into Fall and Winter. The state government has been slow to act during the latest wave. Please do not prolong this anymore.

We are in desperate need of leadership from you all. Please show that public safety comes first - that it comes before politics and disinformation. Please reenact the mask mandate and put Portland at the head of Maine's solutions to try and stop this pandemic nightmare.

Sincerely,  
Madeline Scharff

25 High Street  
Portland, ME 04101



**Lydia Tate** <lyd@abacusgallery.com>  
to publiccomment

11:51 AM (36 minutes ago)

Re: Masks    Order 48-21/22

I, along with scores of other private citizens and businesses have become weary of a handful of people deciding the fate of an entire business community.

There is no definitive medical science or overwhelming request from businesses to demand or support mask wearing or the efficacy of such a mandate.

The general public is free to wear a mask anywhere they so choose. No businesses forbids the wearing of masks.

If private citizens feel uncomfortable in and around people, then they are free to wear a mask or they are free to stay home. Again, no business forbids the wearing of a mask.

Let's not go down the path of mask mandates for some and exemptions for others. The solution is much simpler. There are United States documents guaranteeing all us those rights. I suggest you read and understand them.

Thank you

Salvatore Scaglione  
Abacus  
44 Exchange St  
Portland ME

# Mask Mandate Vote Tonight

Public Comment inbox



**Erin Kiley** <erin@portlandfleaforall.com>

11:57 AM (30 minutes ago)

to publiccomment, bsr, Tae, nmm, Kate, sthibodeau, azarro, mdion, pali, afournier

Dear Mayor Snyder and Councilors,

At last week's council workshop, several Councilors expressed concerns that more data was needed before enacting a city-wide mask mandate. The Council used an absence of Portland transmission data to delay the decision on a mask mandate, when Portland's own Public Health Department unequivocally supports the mandate, and almost the entire council recognized its importance the week prior.

COVID transmission data is not available on a city-specific level, but that data is not even the most relevant to this conversation. What is most relevant is the data around the effectiveness of masks, the rates of hospitalization in Portland hospitals, and the specific risks that Portland faces as the largest city in Maine.

Portland continues to be at the epicenter of Maine's tourism economy. Several public commenters from last week's meeting pointed to high vaccination rates as reasoning that we don't need a mask mandate. However, according to Dr. Shah, Portland's vaccination rate trails behind those of Yarmouth, Brunswick and Bath. Even the most successful vaccination rates don't protect us from unvaccinated and unmasked tourists and patrons in our businesses, or unmasked, unvaccinated students in schools. Some business owners suggested they didn't want to put their employees in the position of having to enforce a mask mandate. I'd counter that position with why they're willing to put their employees in the position of contracting COVID in unmasked, indoor environments.

There is zero doubt that cases will increase as we head into fall and winter. Why is there a doubt among this body that masks would help that? And if there's no doubt that masks would help, then what is the justifiable hesitation? Putting aside the vocal minority of gym owners who opposed a mandate, the support from the public, several other business owners, and healthcare workers was in line with your own DHHS recommendations.

Last, among a survey we conducted of 859 Portland residents, 809 (94%) favored a city-wide mask mandate, and only 50 (6%) opposed it.

I've included several resources below that provide the data you requested. Maine currently has the fastest rate of increase for COVID cases in the country. An additional data point is that [Portland hospitals are setting new records for COVID hospitalizations](#), ICU occupancy, and patients on ventilators.

Thank you for your time and consideration. I hope you'll support the mask mandate at tonight's meeting.

Most sincerely,

Erin Kiley  
587 Congress St.

Maine sees record number of COVID-19 hospitalizations:

According to the Maine CDC, there are currently 214 people in the hospital with COVID-19. That's the highest total of the entire pandemic. [\[Maine not changing COVID-19 strategy despite surge hitting unvaccinated people\]](#) There are 73 people in the ICU, down from Sunday's high of 79. There are currently 58 available critical care beds. There are 33 people currently on a ventilator.

This [article from JAMA](#), the Journal of the American Medical Association, provides data around Mask Mandates and community transmission vis a vis non-essential businesses. Of specific note:

The CDC recommends universal and proper mask use for restaurant employees and for customers when they are not actively eating or drinking and when physical distancing is difficult to maintain.<sup>6</sup> Restaurants should require proper use of masks among staff.<sup>2</sup> Previous research found that reopening nonessential businesses (ie, indoor dining at restaurants in particular) resulted in excess COVID-19 cases and deaths.<sup>7</sup> However, in states that implemented a statewide mask mandate before reopening restaurants for indoor dining, the increased risk of cases was attenuated by up to 90% and deaths by 80%.<sup>7</sup> After 8 weeks, in states that reopened restaurants without a mask mandate, excess cases were 643.1 per 100 000 compared with 62.9 per 100 000 in states with a mask mandate. Similarly, excess deaths were 31.7 per 100 000 in states without a mask mandate compared with 6.1 per 100 000 in states with a mask mandate. This finding suggests that adopting prevention measures such as mask mandates could help counteract the anticipated growth in COVID-19 cases and deaths as restaurants open for on-premises dining.<sup>7</sup>

Here's [a reference article from the Association of American Medical Colleges](#) about why we need masks in addition to vaccination. Of specific note:

Various studies have shown that the delta variant is significantly more transmissible than the original coronavirus. [One preprint study in China](#) found that it replicates sooner and faster, making it much easier to spread. The CDC also [released data on Friday](#) from an outbreak in Massachusetts that stemmed from summer events in early July. Of the 469 people who tested positive for COVID-19, 74% were fully vaccinated. Seventy-nine percent of the breakthrough infections were symptomatic and four vaccinated people were hospitalized.

This makes high-quality masks all the more essential, says Linsey Marr, PhD, the Charles P. Lunford professor in engineering and a professor of civil and environmental engineering at Virginia Tech in Blacksburg.

"People who are infected shed a lot more virus," she notes. "That makes it harder for the masks to work and means people should be wearing high-performance masks."

According to Marr, N95 or KF94 masks are ideal if they're available. Otherwise, using two masks — a surgical mask with a snugly fit cloth mask over it — is acceptable. Loose-fitting masks that leave gaps around the face, like surgical masks alone, are far less effective and are like having a hole in your mask, she added.

But when masks are worn appropriately, they're [extremely effective](#) at protecting both the wearer and others.

And [here's an article from the CDC](#) for Belinda, who expressed doubt that masks have been proven to be effective against the spread of COVID. Of note:

Human Studies of Masking and SARS-CoV-2 Transmission

Data regarding the "real-world" effectiveness of community masking are limited to observational and epidemiological studies.

An investigation of a high-exposure event, in which 2 symptomatically ill hair stylists interacted for an average of 15 minutes with each of 139 clients during an 8-day period, found that none of the 67 clients who subsequently consented to an interview and testing developed infection. The stylists and all clients universally wore masks in the salon as required by local ordinance and company policy at the time.<sup>36</sup>

In a study of 124 Beijing households with  $\geq 1$  laboratory-confirmed case of SARS-CoV-2 infection, mask use by the index patient and family contacts before the index patient developed symptoms reduced secondary transmission within the households by 79%.<sup>37</sup>

A retrospective case-control study from Thailand documented that, among more than 1,000 persons interviewed as part of contact tracing investigations, those who reported having always worn a mask during high-risk exposures experienced a greater

than 70% reduced risk of acquiring infection compared with persons who did not wear masks under these circumstances.<sup>38</sup>

A study of an outbreak aboard the USS Theodore Roosevelt, an environment notable for congregate living quarters and close working environments, found that use of face coverings on-board was associated with a 70% reduced risk.<sup>39</sup>

Investigations involving infected passengers aboard flights longer than 10 hours strongly suggest that masking prevented in-flight transmissions, as demonstrated by the absence of infection developing in other passengers and crew in the 14 days following exposure.<sup>40,41</sup>

At least ten studies have confirmed the benefit of universal masking in community level analyses: in a unified hospital system,<sup>42</sup> a German city,<sup>43</sup> two U.S. states,<sup>44, 45</sup> a panel of 15 U.S. states and Washington, D.C.,<sup>46, 47</sup> as well as both Canada<sup>48</sup> and the U.S. 49-51 nationally. Each analysis demonstrated that, following directives from organizational and political leadership for universal masking, new infections fell significantly. Two of these studies<sup>46, 47</sup> and an additional analysis of data from 200 countries that included the U.S.<sup>51</sup> also demonstrated reductions in mortality. Another 10-site study showed reductions in hospitalization growth rates following mask mandate implementation <sup>49</sup>. A separate series of cross-sectional surveys in the U.S. suggested that a 10% increase in self-reported mask wearing tripled the likelihood of stopping community transmission.<sup>53</sup> An economic analysis using U.S. data found that, given these effects, increasing universal masking by 15% could prevent the need for lockdowns and reduce associated losses of up to \$1 trillion or about 5% of gross domestic product.<sup>47</sup>

Portland Flea-for-All  
Portland, ME 04101  
ph: [\(207\) 370-7570](tel:2073707570)  
[portlandfleaforall.com](http://portlandfleaforall.com)  
[On Facebook](#)  
[On Instagram](#)  
[On Twitter](#)



From: 'patty skerritt' via City Council <[Council@portlandmaine.gov](mailto:Council@portlandmaine.gov)>

Date: Mon, Sep 20, 2021 at 10:46 AM

Subject: Portland mask mandate

To: <[council@portlandmaine.gov](mailto:council@portlandmaine.gov)>

Good morning

I did not see the proposed mask mandate I. The agenda for tonight's meeting, however I thought it was an agenda item. In any event, my comment is simple and to the point, there should be no mask mandate implemented for our city, and only our city. We have the highest vaccine rate in the state. Portland business owners have been through the wringer just trying to survive.

I do not support a mandate for our city, it should be individual preference. I respect any business owner with a mandate for their business and I will comply, I will wear a mask at the market or other places I feel appropriate. Do NOT mandate that would be a mistake.

Thank you  
Patty Skerritt  
Portland resident

Sent from my iPhone

--

Kate Merchant Snyder, Mayor  
Portland, Maine  
Office: 207-874-8941

***Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.***



**September 17, 2021**

**To: Mayor Kate Snyder and Members of Portland City Council**  
**From: Northern Light Health and MaineHealth**  
**Re: Joint Statement Regarding Preventive Measures to Protect Against COVID-19**  
**Cc: Jon Jennings, Portland City Manager**

**While we defer to the City Council on the question of a mandate, the following is our joint position regarding measures that have proven effective in preventing the spread of COVID-19, including wearing masks in certain settings:**

**Joint Statement of Northern Light Health and MaineHealth**

Last month, our physician leaders joined others from across the state to appeal to Mainers to do all they can to protect themselves, their families, and their neighbors from COVID-19. We urged Mainers to follow the evidence by getting vaccinated, masking while indoors, practicing social distancing, maintaining good hand hygiene, and reconsidering large indoor gatherings, especially if unmasked or unvaccinated people will be in attendance. We know that following these preventive measures has proven effective at reducing the spread of COVID-19, and we continue to support taking these precautions because we all must do our part to save lives by limiting the spread of COVID-19, and reduce demand on our health care system.

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** September 14, 2021

**SUBJECT:** Order 54-21/22 Appointing Local Health Officer Bridget Rauscher Constable -  
Sponsored by Kate Snyder, Mayor

**SPONSOR:**

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading** **Final Action**

**Can action be taken at a later date: No (If no why not?)**

**PRESENTATION:** (List the presenter(s), type and length of presentation)

**I. SUMMARY**

**II. AGENDA DESCRIPTION**

This order appoints Local Health Officer Bridget Rauscher constable for the 2021 calendar year. The appointment would authorize her to enforce the mask mandate under consideration in the Emergency Order 48-21/22.

This appointment is effective from the effective date of the order until 12:00 midnight, December 31, 2021, and is made pursuant to Portland City Code, Sections 2019 and 2019.5. Constables are not allowed to carry a firearm, concealed or unconcealed, in the performance of their duties, or to make arrests or issue parking tickets, except for the constables listed who work for the Parking Division and issue parking tickets as part of their job.

In order to authorize Ms. Rauscher to enforce the mask mandate, if adopted, staff is asking that this order be passed as an emergency. Seven affirmative votes are required for passage after public comment.

**III. BACKGROUND**

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

**V. FINANCIAL IMPACT**

**VI. STAFF ANALYSIS AND BACKGROUND**

Staff Analysis and Background that will not appear in the Agenda Description.

**VII. RECOMMENDATION**

**VIII. LIST ATTACHMENTS**

1. Constable Appointment for Local Health Officer 9.20.2021

Prepared by:

Date: 09/14/2021

KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW ZARRO (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

MARK DION (5)  
APRIL D. FOURNIER(A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER APPOINTING  
LOCAL HEALTH OFFICER BRIDGET RAUSCHER CONSTABLE**

**ORDERED**, that Bridget Rauscher, the City of Portland Local Health Officer, is hereby appointed constable for the 2021 calendar year; and

**BE IT FURTHER ORDERED**, that this appointment shall be effective from the effective date of this order until 12:00 midnight, December 31, 2021; and

**BE IT FURTHER ORDERED**, that this appointments is pursuant to Sections 20-19 and 20-19.5, Portland City Code, and this constable is not allowed to carry a firearm, concealed or unconcealed, in the performance of duties, or to make arrests or issue parking tickets; and

**BE IT FURTHER ORDERED**, that this appointment is enacted as an Emergency, pursuant to Article II, Section 11 of the Portland City Charter, in order to make it effective immediately.

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:** Samara Ray

**DATE:** September 10, 2021

**SUBJECT:** Order 55-21/22 Adopting the Western Promenade Historic Landscape Master Plan - Sponsored by Jon P. Jennings, City Manager

**SPONSOR:** Sustainability and Transportation Committee, Councillor Belinda Ray, Chair  
(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

**COUNCIL MEETING DATE ACTION IS REQUESTED:**  
**1st Reading 9/20/2021** **Final Action 9/20/2021**

**Can action be taken at a later date: No No,**

**PRESENTATION:** Parks, Recreation and Facilities Director Ethan Hipple and Historic Preservation Manager Deb Andrews will be present to answer questions from the Council.

## I. SUMMARY

Seeking review and adoption of the Western Promenade Historic Landscape Master Plan.

## II. AGENDA DESCRIPTION

The Parks, Recreation and Facilities Department and the Historic Preservation Office of the Planning and Urban Development Department have partnered with the Friends of Western Promenade to prepare a Master Plan for the Western Promenade. The plan was reviewed by the Sustainability & Transportation Committee in May 2021.

Five affirmative votes are required for passage after public comment.

### III. BACKGROUND

The Western Promenade is one of Portland's original designed landscapes and is a key part of the park system envisioned by the Olmsted firm in 1905. In 1989, the Western Promenade was listed in the National Register of Historic Places and in 1990 it was designated by the City of Portland as a local historic landscape district subject to the protections of the historic preservation ordinance, together with Deering Oaks, Lincoln Park, Eastern Promenade and Baxter Boulevard. Since 1990, master plans have been written for each of the other four historic landscape districts and major improvements projects have been undertaken with guidance from these plans. Master plans identify current conditions and needs, help prioritize improvements and ensure that work done within the historic park is generally consistent with the park's original design intent and historic character while accommodating changing needs. Until this recent initiative, Western Promenade was the only historic park not to have benefitted from such a plan. With the formation of the Friends of Western Prom in 2017, staff began a collaboration between that group, the Historic Preservation Office of the Planning and Urban Development Department and the Parks, Recreation and Facilities Department.

#### IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

The City Council to review and adopt the Western Promenade Historic Landscape Master Plan.

## V. FINANCIAL IMPACT

N/A

## **VI. STAFF ANALYSIS AND BACKGROUND**

Staff have worked interdepartmentally to prepare this Master Plan and believe it is ready for review.

## **VII. RECOMMENDATION**

For the City Council to adopt the Western Promenade Historic Landscape Master Plan.

## **VIII. LIST ATTACHMENTS**

1. Adopting the Western Promenade Historic Landscape Master Plan 9.20.2021
2. Staff Memo Western Prom Master Plan--COUNCIL
3. Port WP LMP\_FINAL\_2020-0610-replot low\_202012161152351569

Prepared by:

Samara Ray

Date: 09/10/2021

KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW ZARRO (4)

**CITY OF PORTLAND**  
**IN THE CITY COUNCIL**

MARK DION (5)  
APRIL D. FOURNIER(A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER ADOPTING THE WESTERN PROMENADE HISTORIC LANDSCAPE  
MASTER PLANMASTER PLAN**

**ORDERED,** that the City of Portland's Western Promenade Historic Landscape Master Plan is hereby adopted substantially in the form attached hereto.



CITY OF PORTLAND  
Parks, Recreation & Facilities Department  
Ethan Hipple, Director

**TO:** City Council  
**FROM:** Ethan Hipple, Director of Parks, Recreation & Facilities  
Deb Andrews, Historic Preservation Program Manager  
**SUBJECT:** Review and Acceptance of Western Promenade Historic Landscape Master Plan  
**DATE:** 8/17/2021

To Mayor Snyder and members of the City Council,

Since 2018, staff from the Parks, Recreation and Facilities Department and the Historic Preservation Office of the Planning and Urban Development Department have been partnering with the Friends of Western Promenade to prepare a Master Plan for the Western Promenade. The plan went to the Sustainability and Transportation Committee for review in May of 2021. We are now bringing that final draft of the plan to the full Council for review and acceptance.

The Western Promenade is one of Portland's original designed landscapes and is a key part of the park system envisioned by the Olmsted firm in 1905. In 1989, the Western Promenade was listed in the National Register of Historic Places and in 1990 it was designated by the City of Portland as a local historic landscape district subject to the protections of the historic preservation ordinance, together with Deering Oaks, Lincoln Park, Eastern Promenade and Baxter Boulevard. Since 1990, master plans have been written for each of the other four historic landscape districts and major improvements projects have been undertaken with guidance from these plans. Master plans identify current conditions and needs, help prioritize improvements and ensure that work done within the historic park is generally consistent with the park's original design intent and historic character while accommodating changing needs. Until this recent initiative, Western Promenade was the only historic park not to have benefitted from such a plan. With the formation of the Friends of Western Prom in 2017, staff began a collaboration between that group, the Historic Preservation Office of the Planning and Urban Development Department and the Parks, Recreation and Facilities Department.

Key milestones in the Master Planning Process:

- 2018 Grant writing by Historic Preservation office to fund the Master Planning process, along with private fundraising by the Friends of Western Promenade to serve as a match for the grant.
- 2018 Request for Proposals process (RFP) that led to the selection of Kyle Zick Landscape Architecture (KZLA) of Boston to serve as the lead consultant for production of the Master Plan.
- 2019 April Public Meeting #1 held at Reiche School to solicit feedback from neighborhood associations, nearby stakeholders, and the general public.
- 2019 June Public Meeting #2 held at Reiche School to share progress on the plan and solicit additional feedback.
- 2019 December: Final Draft of Master Plan completed by KZLA.
- 2020 January: Joint public meeting of the Historic Preservation Board and Parks Commission to review and provide feedback on the Master Plan.
- 2021 May: Master Plan presentation to the Sustainability and Transportation Committee.
- 2021: Master Plan presentation to the City Council.

Sincerely,

**Ethan Hipple**

Director, Parks, Recreation and Facilities Department  
212 Canco Rd, Suite A  
Portland, Maine 04103  
207-808-5400  
[ehipple@portlandmaine.gov](mailto:ehipple@portlandmaine.gov)

**Deb Andrews**

Historic Preservation Manager  
389 Congress St  
Portland, Maine 04101  
207-874-8726  
[dga@portlandmaine.gov](mailto:dga@portlandmaine.gov)



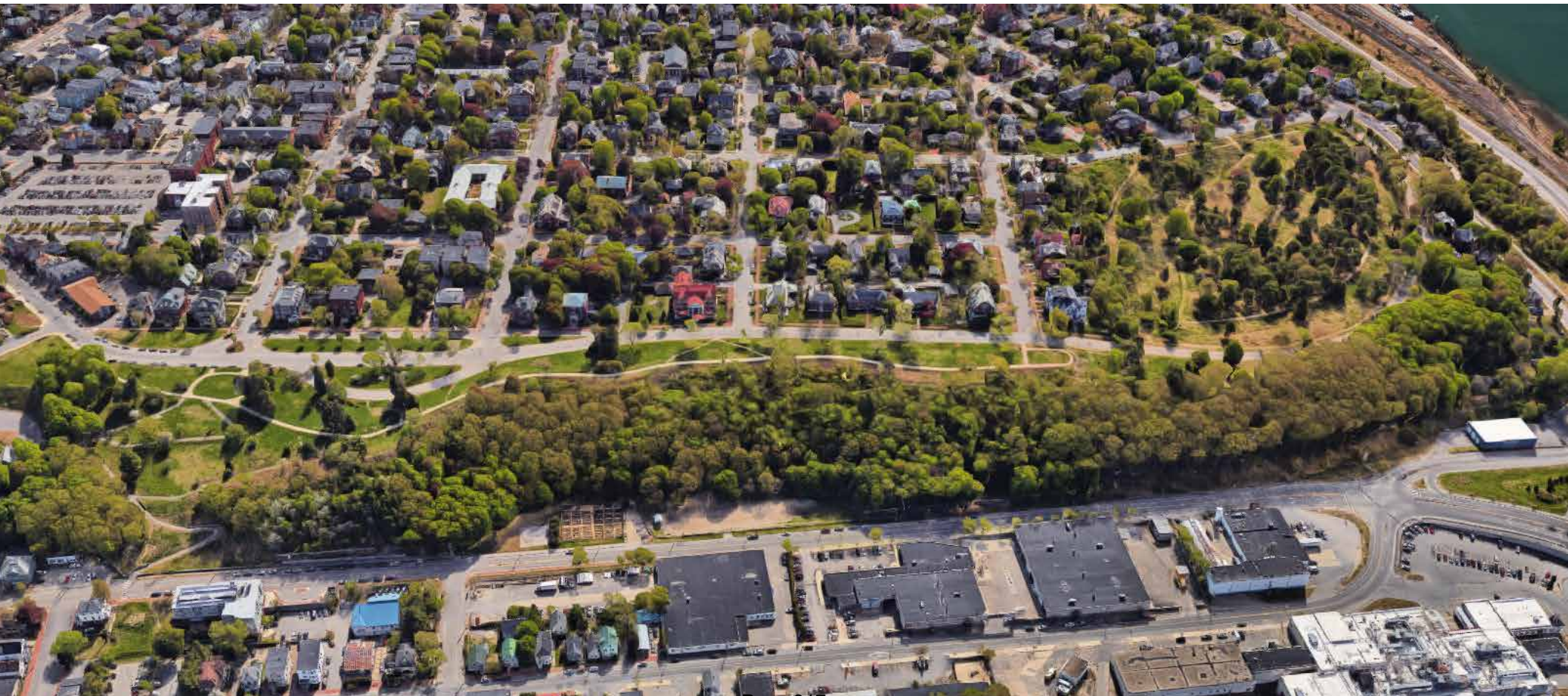
# WESTERN PROMENADE HISTORIC LANDSCAPE MASTER PLAN

JUNE 2020

CITY OF  
PORTLAND



kzla





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Unless otherwise noted, photographs are by Kyle Zick Landscape Architecture, Inc. and were taken in late 2018 or 2019.

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# EXECUTIVE SUMMARY

Until this project, Western Promenade was the only one of the City of Portland's five historic landscape districts without a comprehensive landscape master plan. With a newly formed Friends of Western Promenade (the Friends)—whose mission is to restore and preserve the historic park—the time was right to create a master plan that would document the site's history, its existing landscape, and envision a future for the historic park.

Both the Western and the Eastern Promenade were set aside as public open space by the City in the 1830s for the purpose of preserving the scenic landscape and the views—in the case of the Western Promenade, views of the White Mountains, the Fore River, and sunsets in the western sky. The park landscape developed over the next several decades, from a simple tree-lined carriage road to a large park with a series of passive recreation amenities including a path system, trails for walking or strolling, ski jumps, and a toboggan run. Other amenities incorporated during the period of significance (1836 to circa 1920) included ornamental plantings of fragrant lilacs, perennials, and “fancy evergreens”; as well as site benches throughout the park and the 1891 Stevens and Cobbs pavilion. The park landscape was greatly influenced by William A. Goodwin, the City Engineer from 1872-1892, and the Olmsted Brothers firm, who developed plans for the entire Portland Park System as published by Mayor James Phinney Baxter in 1905. The historic development of Western Promenade, including the regional factors which influenced the improvements, have been recorded in Section 2 of this Historic Landscape Master Plan.

Through 2019, Kyle Zick Landscape Architecture, Inc. (KZLA) worked with the City of Portland's Department of Parks, Recreation & Facilities and the Department of Planning & Urban Development, Historic Preservation Program, and the Friends group to understand and document the park's development history and original design intent. KZLA also documented the 2019 park resources and conditions; how the park was used by residents and visitors. Understanding the park in its historic context, recommendations were made for the preservation treatment of character-defining features as well as recommendations for the entire park landscape based on contemporary needs and community desires. The design process also included a series of public engagement opportunities including community meetings and on-line surveys.

The Western Promenade of the early 21<sup>st</sup> century functions as several disparate landscapes: the historic and formal park at the top of the slope; the roadway and its esplanades; the Valley Street dog park and community garden; the wooded slope; and, the southern park with limited amenities. Each landscape has its own character and historic integrity, as well as different style and level of use. The formal landscape between Bramhall and Bowdoin Streets is the portion of the park which draws the most visitation from the West End neighborhood and visitors from beyond the City, while the Valley Street amenities draw residents of the Saint John/Valley Street neighborhood plus dog park and community garden users from throughout the City. (The 2019 existing conditions information is documented in Section 3.)

Western Promenade was always intended as a passive recreation park which focused on the outstanding views and the borrowed landscape beyond the peninsula of Portland. The natural resources for which the park was established are obscured and it now functions more of a neighborhood park rather than a destination for visitors. As vegetation has grown over time and amenities have been added to the park since the end of the period of significance, the historic character of Western Promenade has degraded.

Based on the Secretary of the Interior's *Standards for the Treatment of Historic Properties and the Guidelines for the Treatment of Cultural Landscapes*, rehabilitation has been recommended for the preservation treatment of the park landscape. Specific park amenities—namely those that have been identified as character-defining features—have been identified for restoration. These recommendations are discussed in Section 4 of this report.

Site assessments, community engagement tasks, preservation goals, and comprehensive discussions with the City's master planning committee determined the following evaluations and recommendations for Western Promenade:

- Viewshed and vegetation management would make a significant impact in the short-term restoration of the park. The National Register Nomination Form clearly states that preserving the “views of the surrounding countryside” were the original intent for the park's establishment. In 2019, only select views were open with large expanses obscured, though there are fantastic views of summer sunsets, the White Mountains, Portland International Jetport, and the working port in South Portland and the Fore River.

- Formal seating needs to be reconsidered. Many of the existing site benches are placed directly behind shrub plantings which further obstruct views. In addition, the community expressed a strong desire for more and more diverse seating areas. Requests for picnic areas and gathering spaces where community members can meet, and sit, and gather were all shared with the master planning committee.
- Vegetation collections—beyond viewshed management—need to be curated. Many of the shrubs and evergreen plantings have grown beyond their initial design intent. Invasive plants, especially Norway maples, on the slope have created dense shaded areas which out-compete native species and create obscured areas where undesirable activities take place. The community requested additional flowers or blooms in the park, however, we know that additional plantings need to be balanced with the maintenance levels possible by the City.
- Walkway alignments, materials, and conditions are critical factors. Given that the original design intent for the park was to be “a ramble”, this suite of infrastructure is of the utmost significance. During site visits, many people were observed walking and running adjacent to or on the Western Promenade roadway creating potential conflicts with vehicles. Significant desire lines exist in several of the landscape areas. These existing social trails were studied, redundant paths eliminated, and the master plan determined those which of these should be formalized.
- Even in the middle of the day, many of the paths leading up/down the slope don’t feel comfortable due, in part, to the density of the wooded areas and lack of visibility. Clearing for viewsheds and the thinning of invasive materials will improve this condition. Site lighting standardization and light level improvements in all active spaces areas (i.e. walkways, not trails on slopes) are also established herein to improve safety and security concerns.
- While the upper park appears to retain a fair amount of historic integrity, other portions of the park (i.e. along Valley Street and the slope) feel less activated and less historic. The disconnect between the Valley Street amenities and the upper park is distinct and there is a need for an improved physical connection between the two. With the newly constructed Maine Medical Center parking garage on St. John Street, this was a critical area of study of the master planning.

- The two amenities/activities most requested by the community were a creative play space (not necessarily a playground) and the reintroduction of the summer concert series. Originally held at the historic pavilion, the concerts continued after its removal in the same location. The pavilion is one of the historic missing features that has been identified for rehabilitation. Any play components considered have to be carefully balanced with the historic nature of the park, location, and accessibility.
- The community also shared that more amenities for trail running, biking, and winter sports are desired, as well as the opportunity for additional food trucks.
- Site furnishings (benches, lighting, signage, etc.) are sporadically placed and does not follow a consistent design language. Furnishings have been assessed for conditions, appropriateness in the historical setting, and location. Interpretation of the park and the neighborhood's history should be expressed in ways that are compatible with the historic aesthetic.
- When on-site, the visitor is not aware of any connection between Western Promenade and the larger Portland Park System, as intended by Mayor Baxter and landscape architecture

firm the Olmsted Brothers. The site's signage should provide information on access to Deering Oaks Park and beyond. In addition, since a fair amount of visitors to Western Prom are from the surrounding neighborhoods, safer and more direct connections from all sides of the park have been studied with trailhead/gateway, sidewalk, and new trail segments have been highlighted.

- The original design intent of the park suggest that Western Promenade should not be over-designed. It should remain peaceful, simple, and quiet with open space to gather, play, picnic, and relax. The community strongly supported this notion.

This historic landscape master plan establishes guiding principles which summarize the goals and the project intent. These design principles include statements such as: restore the design intent of William Goodwin's and the Olmsted Brothers' plans for the park; emphasize the Western Promenade as a 'signature park' of Portland; and, maintain and restore character-defining features. All recommendations were based on these guiding principles.



# EXECUTIVE SUMMARY

Design guidelines were developed for the entire park landscape. These include standardizing park walkways materials, widths, and finishes; site lighting, signage, and site amenity standards; the development of planting zones through the park; and, the siting and design of park gateways and trailheads designs.

Additionally, each of the five distinct park landscapes (noted above) was evaluated separately, as well as part of the entire park landscape. Design guidelines and an enlargement plan were developed for each of the park areas. All recommendations went through a thoughtful and iterative design process with community input, review by City agencies, and the master planning committee.

Finally, a list of first and second tier priority projects was developed born out of the recommendations. These are described with order of magnitude cost estimates in the final section of the report.

This historic landscape master plan outlines a strategy for the next ten to twenty-plus years of the Western Promenade. Grounded in preservation philosophy, and based on the understanding of the historic design intent for the landscape, the landscape master plan reflects the City's and the community's desire to not over design the site so that it loses its pastoral and scenic character.

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# 1: INTRODUCTION

The *Portland Open Space Vision and Implementation Plan*, prepared in 2016, identifies Western Promenade as a ‘signature park’ which it defines as a “historically significant park that serves the entire city.” As one of Portland’s earliest and largest parks, it plays an important role in the City’s recreation history. Along with its bookend, the Eastern Promenade, land was set aside for the development of the two roadways in 1836. The long-standing city engineer of the late 19th century—William A. Goodwin—proposed improvements of both landscapes to provide “open-air exercise and for social out-of-door intercourse.” Recommendations which were furthered by the landscape architecture firm Olmsted Brothers and Mayor James Phinney Baxter in 1905.

The Western Promenade was listed in the National Register of Historic places in 1989 along with the City’s other historic designed landscapes—Deering Oaks, Lincoln Park, Eastern Promenade, and Baxter Boulevard. In 1990, the City of Portland designated the five National Register landscapes as local historic districts subject to protection of Portland’s historic preservation ordinance. As of 2019, Western Promenade was the only of these historic landscapes not to have a landscape master plan prepared. The non-profit volunteer organization—Friends of Western Promenade—was established in 2018 “dedicated to restoring and preserving” the Western Promenade for the benefit of the public. The City and the Friends have since been working collaboratively to guide the master planning process.

## Project description

### Project purpose

The value of a historic landscape master plan is to guide improvements consistent with the original intended design, character, and materials as possible.

As requested by the City of Portland, the purpose of this Historic Landscape Master Plan for Western Promenade is:

- To document the history and the evolution of the Western Promenade over time
- To identify the original design intent for Western Promenade
- To codify the key character-defining features
- To provide an assessment of existing conditions
- To identify current and potential uses within the landscape
- To recommend and provide direction on rehabilitation/restoration initiatives
- To provide an implementation plan, including priority/phasing of proposed improvements, estimated construction budgets, etc.
- To outline best management practices to ensure appropriate on-going stewardship

These tasks are addressed in this Historic Landscape Master Plan report.

### Project goals

At the outset of the project, the City identified a number of specific goals for the project, including:

- To update the path network, considering historic materials, accessibility, durability, and maintenance
- To reintroduce the historic pavilion
- To provide more opportunities for recreation and fun
- To update the ornamental plantings
- To rethink the site benches and their locations
- To restore the historic viewsheds

All of these have been addressed in the guiding principles and the design guidelines found in Section 5 of this report.

## SECTION 1 — INTRODUCTION

### **Project area**

Western Promenade rises approximately 175 feet above sea level. The formal park landscape sits atop the embankment. The wooded slope with steep gradient falls to the west towards the Fore River.

Western Promenade—the park—is bordered by Western Promenade—the roadway—to the east, Valley Street to the west, Danforth Street and a grouping of private residences to the south, and Maine Medical Center’s campus to the north.

The Western Promenade neighborhood to the west of the park is a historic residential neighborhood consisting of large-scale architecturally significant 19<sup>th</sup> and early 20<sup>th</sup> century houses.

West of the park—and closer to sea level—is a mix of industry, business, hospital (Northern Light Mercy Hospital), and restaurants. The Valley Street/ St. John’s Street neighborhood is fairly small and extends to north of the park at Gilman Street too.

Just beyond the park to the south and the west is the Fore River and coastal marshes.

### **Goals for Portland Park & Open Space System**

The 2016 *Portland Open Space Vision and Implementation Plan* established goals for the entire park system. These are relevant to the Western Promenade and its role within the greater park system. These goals have been stated as:

- Provide an inter-connected system of parks, trails, and open spaces
- Provide ready access for all residents to the wide range of recreation and open space opportunities
- Provide high quality, well-designed parks and open spaces
- Have well-maintained and safe parks and open spaces
- Provide appropriate spaces for people of all ages close to home
- Provide spaces for multi-generational use
- Promote appropriate uses of parks and open spaces
- Promote engaged citizen stewardship
- Preserve the intrinsic values of the park and open space system
- Protectively program our public spaces

- Make spaces for special events (as site appropriate)
- Provide free opportunities for physical activity
- Preserve historic resources in the parks and open space system
- Promote biological diversity and wildlife habitat (as site appropriate)
- Provide opportunity for growing food
- Manage stormwater on site
- Sustain the system's breadth and quality with capital planning, adequate funding and staffing

All of these are appropriate to the Western Promenade, given its historical nature and original design intent.

### **Migratory Bird Treaty Act**

This project acknowledges the Migratory Bird Treaty Act of 1918 and the endangered and threatened species listed in the Revised List of Migratory Birds, Final Rule by 50 CFR Parts 10 and 21 as published in the *Federal Register* on November 1, 2013. The recommendations made in this Historic Landscape Master Plan do nothing that should impact the listed birds or their breeding grounds to any extent. While it is acknowledged that the project does recommend a very selective clearing of some vegetation, it is predominantly the removal of invasive plant species with the selection to maintain as much of the existing native species as possible, while taking into account safety and security of the general public visiting the park. Prior to the implementation of distinct projects proposed in the master plan, the proposed work should be reviewed for compliance with the National Environmental Policy Act.

## 2: LANDSCAPE HISTORY

### Historical background & context

The scenic value of the Western Promenade was recognized early on in Portland's urban history. Located at the western end of the city with views of the White Mountains, the site is significant primarily as an early example of a recognized and preserved scenic landscape. The Promenade is part of the proposed Portland Parks System as developed by the Olmsted Brothers in 1905.

- National Register Nomination Form, 1989

The concept of creating formal promenades at the eastern and western ends of the Portland peninsula was first conceived of in 1826. The two landscapes flanked the developing core of Portland and each provided stunning overlooks of the Maine landscape and beyond. While the Eastern Promenade provides views of Casco Bay and its islands, its broader park eventually included active recreation facilities and Fort Allen—a military defense landscape. The development of Western Promenade was limited between the Maine Central Railroad tracks to the west (at the base of the escarpment) and the original roadway laid out in the 1830s at the top of the slope to the east. Its vistas have been compromised by industry but the overlook to Mount Washington and the Presidential Range and the opportunity for viewing sunsets have been maintained.

The timeline that follows chronicles the development of Western Promenade and the landscape of western Portland, as well as the associated Portland park system and the changes that shaped the City.

[The] hill summit was converted by a heavy forest growth until the first quarter of the 19th century. [...] Only a brave few inhabitants attempted to build their homes so far from 'the Neck'.

- Portland City Guide, 1940



Crop of an 1770 map of “Falmouth Harbour” by Joseph F.W. Des Barres. Image courtesy of the Norman B. Leventhal Map & Education Center. The high ground on either side of the early Town—labeled by its original name, “Falmouth”—is easily distinguished in the map.



## SECTION 2 — LANDSCAPE HISTORY

### Development timeline of Western Promenade

**1826:** Mayor Levi Cutler proposes for the City: “a system of promenades and marginal ways, a foot and wagon roadway encircling the then flourishing Portland peninsula”.

**1828:** Land purchased by the City for Eastern Promenade on Munjoy Hill; early development included only the roadway.

**1829:** The City purchases 10 acres for the establishment of Western Cemetery.

**1834:** Committee of the Council is established to survey lands for the promenades and recommends the City purchase land on Munjoy and Bramhall Hills

**1836:** Land purchased by the City for the creation of Western Promenade on Bramhall Hill to “promote publicly-owned open space”.

**1836:** The Western Promenade roadway is constructed on Bramhall Hill from Arsenal Street to Danforth Street.

**1836:** Roadway from Bramhall Hill to Vaughan’s Bridge constructed. It is reported in Portland’s *Eastern Argus*: “They may be very pleasant for those that keep horses and gig and have nothing

else to do but ride about, but they will not be the least advantage to 9/10ths of the taxpayers of the city.” This portion of the peninsula was considered remote to the main city, on “the Neck”.

**1836:** *Eastern Argus* article reports that the Western Promenade roadway “afford[s] a pleasant and picturesque view of the country for miles around, with all variety of hills and dales, of plains and vistas, villages and farm houses, requisite to romantic scenery and a delightful landscape. [...]

Let the road[ways] be ornamented with four rows of young elms so arranged as to accommodate both carriages and promenades.”

**1837:** Panic of 1837 financial crisis leads to national recession that lasts until 1844. This stalls any park development for Portland.

**1855:** The City passes a tree ordinance stating that no one may damage or destroy city trees on public lands.

**1855:** Henry Wadsworth Longfellow publishes “My Lost Youth” describing the landscape of Portland with the words: “I can see the shadowy lines of its trees/And catch, in sudden gleams/The sheen of the far-surrounding seas”.



*Circa 1815 map of the City of Portland: Plan of Portland by Cornelius Barnes, Courtesy of the Harvard Map Collection, Harvard University. The extent of development in the west end of the peninsula is Vaughan Street and Fore River Street.*

## SECTION 2 — LANDSCAPE HISTORY: DEVELOPMENT TIMELINE

**1856-1858:** John Bundy Brown builds his mansion—“Bramhall”—in the West End on 10 acres of land. Eventually his children’s homes surrounded his on the property. This begins the shift to the West End becoming the fashionable part of the City.

**1857:** The Joint Commission of Burial Grounds is expanded to become Joint Commission on Cemeteries & Public Grounds.

**1858:** From *Bold Vision*: “A traveler to Portland reports: ‘My friend and I [...] could not refrain from remarking the fine effect produced in almost every street of any note by the noble trees planted on either side, consisting principally of elms [...] to enhance, as it were, the beauty of the scene.’”

**1858:** Portland’s first City Forester is appointed by Mayor Jedediah Jewett as the City gains the moniker “the Forest City”

**1866:** A devastating fire destroys 1,500 buildings in central Portland on July 4<sup>th</sup> leaving more than 10,000 homeless.

**1867:** The City purchases 2.5 acres of destroyed ground in the heart of the City to be developed as a park and fire break after seeing how the fire was stopped by Eastern Cemetery. The park is initially named Phoenix Square, but later renamed Lincoln Park the following year after the recently assassinated President. The Department of Parks is established.

**1868:** State of Maine passes legislation to build a hospital on Bramhall Hill.

**1870s:** The West End becomes the “Gold Coast of Portland”—the desirable neighborhood of the City.

**1872:** William A. Goodwin becomes the Portland City Engineer, and serves in this role for 20 years.

**1873:** Economic Panic of 1873 marks the beginning of the Long Depression which lasts until 1877.

**1874:** Maine General Hospital opens the east pavilion and 2 outbuildings; the first patient is admitted in November of this year.





Crop of an 1876 map of the City of Portland: Bird's Eye View of the City of Portland, Maine, 1876. Courtesy of the Library of Congress. Western Promenade (the road) can be seen running center left to right with the Maine Central Railroad above it and the Bramhall Estate located on the Promenade between Bowdoin and Pine Streets.

## SECTION 2 — LANDSCAPE HISTORY: DEVELOPMENT TIMELINE

**1875:** The Deering family provides 50 acres of land to the City to be used as park land, later named Deering Oaks Park.

**1876:** “Bird’s Eye View of the City of Portland, Maine” is published. This aerial view of the peninsula is one of the earliest depictions of Western Promenade. It shows the road in nearly its current layout (minus the horseshoe), the tree allée, a forested slope, J. B. Brown’s estate, Maine Central Railroad lines, and Maine General Hospital.

**1878:** Calvert Vaux is hired by Mayor Moses S. Butler to provide recommendations on the City’s promenades after the Mayor states that the promenades had “an uncared for and neglected appearance entirely unworthy of their natural beauties, as if unappreciated by the city they so much adorn. Nature bountifully has done her part.” Goodwin and Vaux spend two days reviewing the landscape. No records of Vaux recommendations have been uncovered.

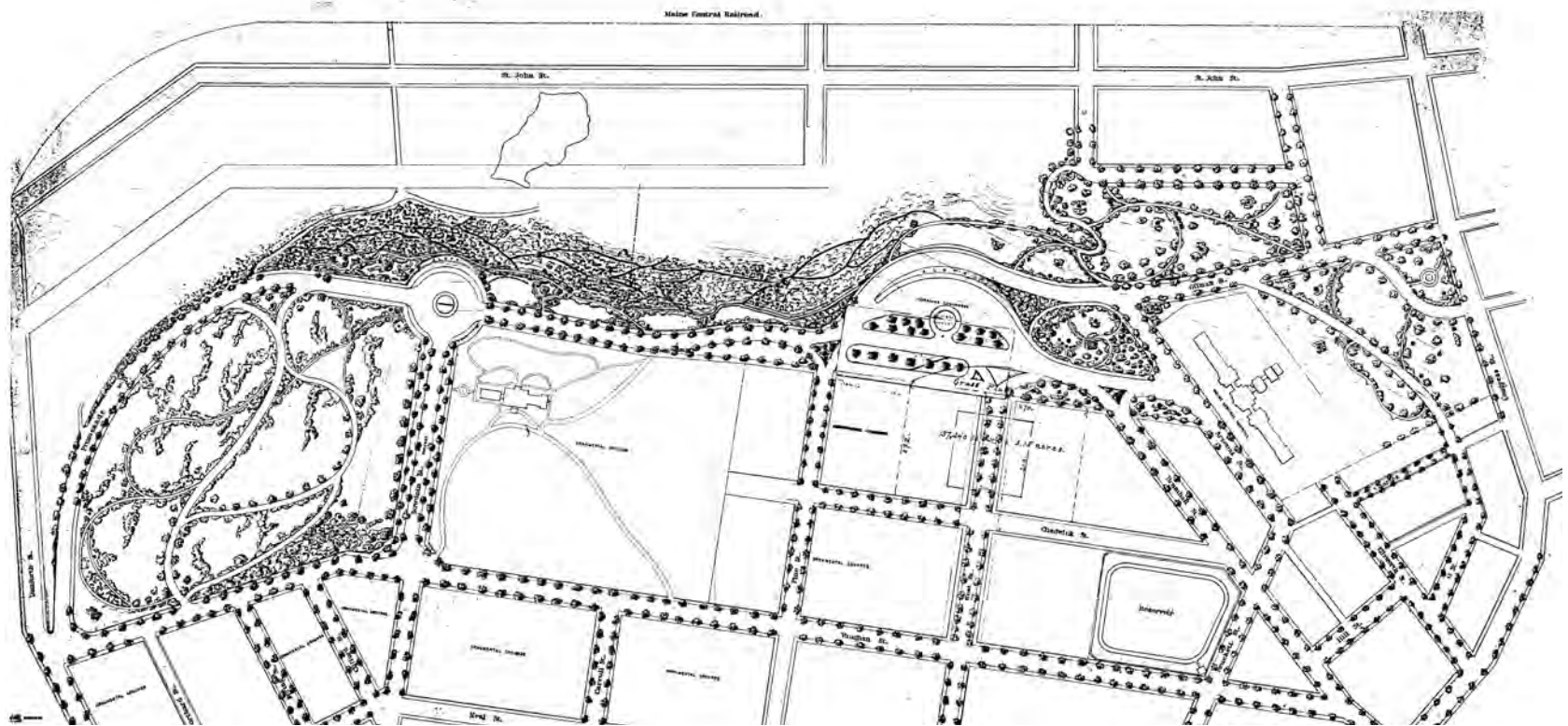
**1878:** Goodwin presents to the Fraternity Club of Portland on proposed development of the Promenades following his meetings with Vaux. “Little has been done for the improvement of our advantages of situation, for encouragement of open-air exercise, and for social out-of-doors intercourse, those prime motors of public cheerfulness and neighborly good-fellowship.”

**1879:** West Street is graded from Western Promenade to Chadwick Street.

**1879:** “The [Western] Promenade is a bleak place” according to Goodwin’s *Annual Report*: “On the Western Promenade no further grading has been done. The trees planted last year survived the winter, and several evergreens and many shrubs have been set out on the grass plots which have been watered, weeded and mown, and kept in general good order, wanting, however, the special care which they will sooner or later received.”

“The circuit of our public grounds [...] affords a variety and a natural beauty of scenery to be found in but a few cities of this country. The foreground of these several landscapes and marine views will doubtless be cared for little by little as the means of the city will warrant.”





William A. Goodwin's revised plan for Western Promenade; courtesy of the City of Portland. (circa 1880). The plan is revised from an earlier plan to propose the relocation of the capitol building to Portland. The building is sketched in as a square on West Street overlooking the park. Maine General Hospital (as it was known then) is located to the right of the image. Valley Street is also sketched in though it would not be constructed for several decades. The plan shows numerous rambling pathways through the wooded slope below the promenade.

## SECTION 2 — LANDSCAPE HISTORY: DEVELOPMENT TIMELINE

**1879:** From the annual Report of the City Civil Engineer: “Six monuments have been set on and adjacent to St. John Street on division lines between city lots and lands of Hon. J. B. Brown to mark the new boundaries of lands exchanged by the city and Mr. Brown.”

“[...] Survey and plans have been of [...] city lots on St. John and Congress streets, showing details of exchanged land, between the city and Hon. J. B. Brown in squaring lots, and for deeds of conveyance for lots sold.”

**1879:** Gilman Street layout revised for Western Promenade.

**1880:** A, B, C, and D Streets have been “laid out” below Western Promenade.

**1881:** Driveway between Pine and West Streets constructed in front of residences. From the Report of the of the City Civil Engineer: “A triangular bed has been made at the head of Pine Street, another at the head of West Street, both laid down to grass, and on and about them 22 elms and rock maples have been planted.”

**1881:** J. B. Brown dies, his estate is subdivided, and house lots are sold south of Bowdoin Street.

**1882:** 51 trees are planted in Western Promenade

**1884:** John Calvin Stevens, the City’s premier architect, purchases land of the former Brown estate and builds his home on Bowdoin Street.

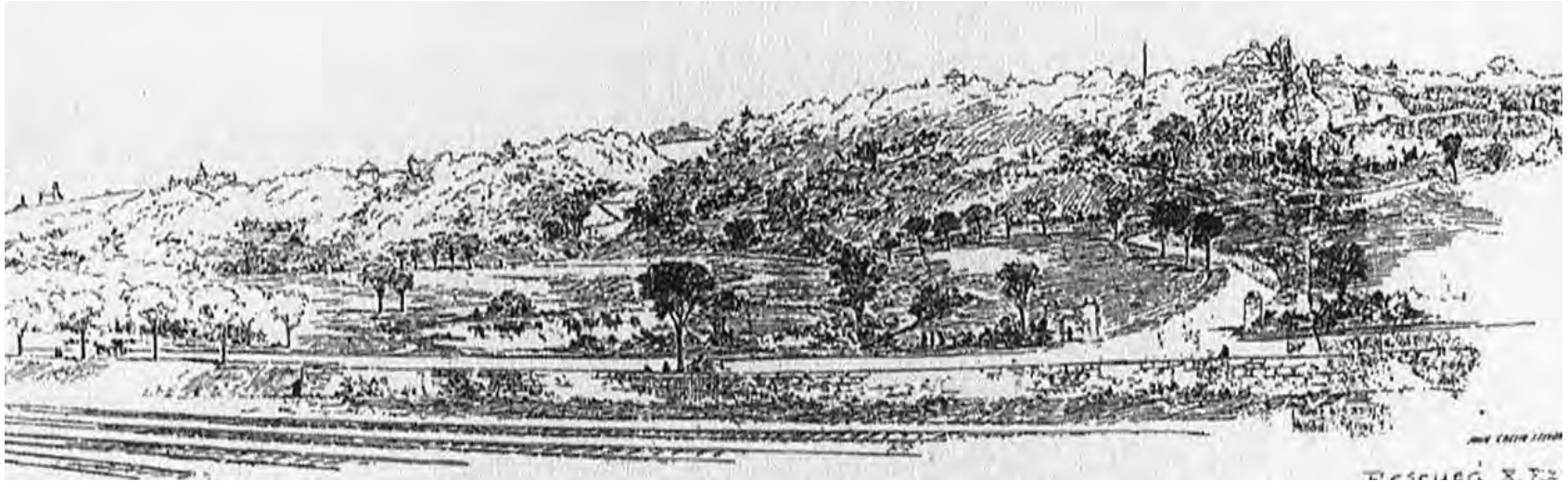
**1884-1885:** “Prospect Point” (the level landscape and retaining wall terrace at the head of Bowdoin Street) is constructed using fill from construction of new residences in the area.

**1885:** Commission of Cemeteries and Public Grounds is established to maintain “parks, promenades, squares and other grounds”.

**1887:** Competition held for a Civil War memorial in Market Square (now Monument Square; the site of old city hall).

**1888:** Report of City Civil Engineer: “A deviation of the drive on the Western Promenade between Pine and West streets had been laid out, for the purpose both of widening the view from that point and of securing another ornamental bed westerly of the main drive.”

**1888:** Union Station (railroad depot) constructed on St. John Street.



Architect John Calvin Stevens' sketch for the park at Western Promenade—"Bramhall Park", as published in the December 1889 issue of Portland Sunday Telegram. Steven's business partner, architect Albert Winslow Cobb, described the park as essential with the development of Maine Central Railroad's Union Station and the fear that the development would impact the views from the promenade.

Stevens and Cobb's version of the park also included "a system of walking and carriage paths across the face of the Western Promenade escarpment". Their sketch shows the rail line and St. John Street in the foreground with a broader level park area available at the base of the slope which was available before Valley Street was constructed. Piers similar to what was later built at the Valley Street entrance further north are included in the sketch at the park entrance to the right of the sketch. Their plans were not implemented, but the firm was given the commission to design the two pavilions at Eastern and Western Promenades. Image courtesy of the Maine Historic Preservation Commission.



## SECTION 2 — LANDSCAPE HISTORY: DEVELOPMENT TIMELINE

**1888:** Horticultural beds are incorporated for the first time in Western Promenade.

**1888:** Western Cemetery is closed to burials.

**1889:** Efforts are made to move the State Capitol from Augusta back to Portland with Bramhall Hill selected as the site for new capitol building. Goodwin draws plans for the capitol building on Western Promenade, but the efforts are unsuccessful.

**1889:** Stevens & Cobb article published in the *Portland Sunday Telegram* proposing the development of the escarpment below the Western Promenade as a park to prevent its development as tenements. “It will make the railway entrance to Portland a fit portal to the beauties which lie beyond the brown of the high bluff which even in its raw *naturalities* so impress the traveler who first approaches it by rail.”

**1890:** Fort Allen Park acquired by the City from the federal government after it was determined to no longer be of military benefit.

**1891:** Stevens & Cobb-designed bandstands constructed at both Eastern & Western Promenades.

**1892:** Maine General Hospital’s west pavilion and the Superintendent’s House are constructed.

**1893:** Mayor James Phinney Baxter elected into office for the first of six, non-consecutive one-year terms from 1893-1905. Baxter picked up the mantle of improvements to public grounds after William Goodwin retired the previous year.

**1894:** The City makes plans to acquire additional parcels of land for both Eastern and Western Promenades: At Western Promenade, Baxter attempted to acquire the “land sloping from the crown of Bramhall Hill down towards St. John Street, which the city had hoped in vain to convert into a magnificent public park”.

**1895:** First historic notation of the macadamizing of Western Promenade and of concrete walkways. From the City Civil Engineer: “The rough and uneven ground on the Western Promenade west of the driveway and between Bramhall and Pine streets has been graded and laid out in lawns and walks. Nearly opposite the centre of West Street is an oval 100x60 feet surrounded by a path 12 feet wide. From the westerly side of this oval a path 12 feet in width extends northerly to the head of Bramhall street and southerly to and around the bandstand. The slopes on the outside of the main path have been turfed as also the edges of lawns and oval.”



*1904 Olmsted Brothers plan for the Western Promenade, as published by Mayor James Phinney Baxter in his The Park System of Portland (1905). The plan proposes a connection to Deering Oaks Park. The publication stated “[...]the southwesterly slope of the hill was not owned by the city, though it is probable that ninety-nine out of a hundred of our citizens supposed it to be.” This plan proposed a terrace, shelter, and concourse at the end of West Street. It shows walkways paralleling Western Promenade, very similar to what exists today, including connections down the slope at the northern end. Today’s Carriage Road Trail and Toboggan Trail are shown very close to their current layout. Valley Street is not depicted but a meandering roadway is included at the base of the slope similar to what the Stevens sketch depicted fifteen years earlier. Image courtesy of the Olmsted Associates Records.*

## SECTION 2 — LANDSCAPE HISTORY: DEVELOPMENT TIMELINE

**1896:** Portland Parks Commission is established.

**1897:** Report of City Civil Engineer: “The details of work done on the Western Promenade comprise the filling, shaping and turfing of the large gulch in the face of the hill opposite the head of Pine Street, and a smaller one near by. On the day succeeding the completion of this work a very heavy rain occurred, and soon after several others, without any damage to the slope.”

“30 elm and rock maple trees have been purchased and planted in fertilized beds, with strong supporting frames well set.”

**1898:** Annual Report of the Commissions of Cemeteries and Public Grounds: “This promenade grows in beauty every year; our display of shrubbery at this place is fine, and during the last season was in constant bloom from May until October.”

“In the early fall we built about 200 feet of new walks, also graded and loamed the ground near the Maine General Hospital, which will add to the beauty of the promenade the coming summer.”

**1899:** The first automobile arrives in Portland.

**1902:** The first playground is constructed within the City at Deering Oaks Park.

**1904:** Olmsted Brothers of Brookline, Massachusetts are hired for the development of plans for Eastern and Western Promenade, as well as a study to create a connection to Deering Oaks.

**1904:** John C. Olmsted visits Portland. About the Western Promenade he writes, “Belonged to J. B. Brown. He graded a narrow, steep road down face of bluff. It is loose gravel covered with pitch pines and prostrate juniper, wild and picturesque.”

**1905:** John C. Olmsted notes in a memo after a site visit with Mayor Baxter: “Western Promenade scheme, as shown met with no opposition, except that it was suggested that the proposed statue on the axis of West Street be cut out, as this part of the Promenade is used as speedway for sleighs. A more direct connection from the shelter to the Union Station was desired—both suggestions seemed good to me.”

**1905:** Mayor Baxter publishes *The Park System of Portland* which describes the plans developed by the Olmsted Brothers and included tree-lined roadways connecting the major parks, plus a ring road around Back Cove. Later that same year, Baxter loses his re-election campaign and much of the Olmsted Brothers plans are never fully realized save for Back Cove Boulevard.



*(top) Historic view looking towards Union Station, no date. Image courtesy Portland Parks Department Archive. The train station stood from 1888-1961.*

## SECTION 2 — LANDSCAPE HISTORY: DEVELOPMENT TIMELINE

**1905:** City Council determines a driveway should connect Western Promenade to Deering Oaks via B Street.

**1905:** Walkway constructed from top of slope to wooden stairs: “It is very convenient for those living in that part of the city, as it makes a short cut to the Union Station.”

**1907:** From the Report of the Commissioners of Cemeteries and Public Grounds: At Western Promenade “[w]e built this fall a tar walk, running from the brow of the hill, following down the slope and connecting with the steps leading to Gilman Street.”

**1908:** From the Report of the Commissioners of Cemeteries and Public Grounds: the tar walk was laid “from a point back of the band stand to a point intersecting with the wooded stairway leading to Gilman Street. This walk is 5 feet wide.”

“The Commissioners hope to be able to begin the construction of the much-needed cement walk on this promenade next summer.”

**1909:** Management of the Eastern and Western Promenades turned over to Board of Park Commissioners.

**1910:** Thomas Brackett Reed statue dedicated in the esplanade between Pine and West Streets. “[I]f anything was needed to give a winning grace to this beautiful outlook this work of art has filled the bill.”

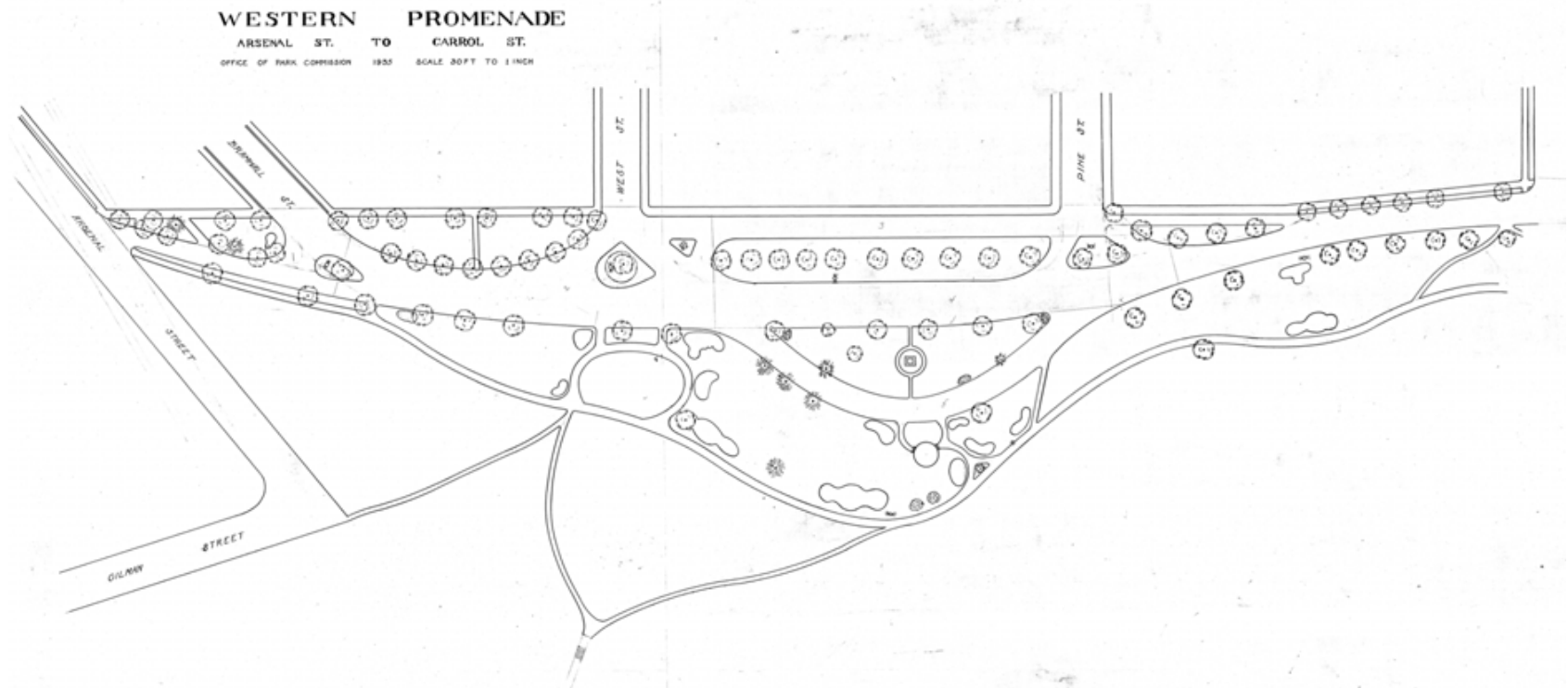
**1911:** An “artificial stone walk” is extended around the terrace Prospect Point

**1912:** A winter speedway laid out at Deering Oaks rendering Western Promenade obsolete for sleigh rides.

**1912:** From the Report of the Commissioners of Cemeteries and Public Grounds: “The slope of the promenade laying next to Arsenal street was graded and terraced to the easterly line of Gilman street. The slope and terrace were loamed and seeded. The wooded slope above the location of B street has been partially cleaned of dead wood, and it is intended to continue this work during the coming season.”

“Proposals were received of extending the cement walk on the westerly side of the promenade from Bramhall street to Arsenal street... This work completes the cement walk from Bowdoin Street to Arsenal street, a total length of 2,290 feet.”

“The arc lights at the head of Bowdoin street has been replaced by an ornamental four-light cluster.”



*“Western Promenade: Arsenal Street to Carroll Street/Office of the Park Commission, 1935.” Image courtesy Portland Parks Department Archive. This plan is close to what exists today with the exception of Arsenal Street. The walkways in the park are similar to what was included in the Olmsted Brothers plan from 1904. The Reed statue is shown with planting bed and walkway connecting it. Stairs can be seen at the very bottom of the image as an extension of the walkway leading down the slope. Horticultural beds are prevalent in this plan and reflect the heavy planting that is seen in some of the historical photographs and postcards from the era.*



## SECTION 2 — LANDSCAPE HISTORY: DEVELOPMENT TIMELINE

**1913:** John C. Olmsted is brought back to Portland to review the proposal for expanded freight rail yard and its impact on the Western Promenade.

**1915:** Land exchange completed between City and estate of J. B. Brown for development of the park. Bramhall Hall is demolished.

**1915:** From the Report of the Park Commission: “The slope of the promenade, from the band stand to the Maine General Hospital, has been graded and seeded, also the slope from the promenade to Gilman street has been seeded and shrubs planted, and the grass kept cut. [...] The view from here is grand, commanding, as it does, the country for miles to the south and west. Especially at sunset, on a warm, clear evening, the promenade is thronged with people enjoying the beauties of the scenery.”

**1915:** “Rock maples” (sugar maples) and elm trees planted in Western Promenade esplanade.

**1916:** From the Report of the Park Commission: “All unsightly shrubs were removed from the beds and beds replenished with 25 double loads of manure and 18 loads of loam, planted 2 beds of hardy phlox, 2 of peonies, tulips and lilies, and 6 beds of plants from greenhouse.”

In addition, significant ornamental plantings are added to the park: “200 hardy roses, 300 hardy phlox, 300 hardy iris, 200 goldenglow, and 100 larkspur were planted bordering all shrubbery, the rockery was rebuilt and planted with 25 peonies and 25 larkspur.”

“Built new steps on the western slope and a stone wall to protect the bank at B Street. Repaired and oiled all roadways and shoulders.”

**1916:** Esplanade between Bowdoin and Vaughan Street constructed and planted with trees.

**1917:** “Fancy evergreens” planted in turf areas of Western Promenade.

**1917:** Back Cove Boulevard as designed by Olmsted Brothers is opened; it is later renamed Baxter Boulevard

**1918:** From the Report of the Park Commission: “The steps at the Western Promenade, which were begun last year, have been completed, an iron rail placed on the same; and lights installed; also the retaining wall on B Street has been finished, the band stand repaired and painted, the flag pole painted, drain and water pipes repaired, evergreens planted on the slope...”



*Undated historical image of Western Promenade with cobblestone edging and planting in esplanade. Pencil sketching around the esplanade in the middle of the roadway shows proposed road and esplanade alteration, potentially dating to 1940 to coordinate with the “Proposed Changes in Roadway Intersection: Western Promenade-Pine Street” which shows the same proposed changes to the esplanade. Image courtesy of Eleanor Ames.*



## SECTION 2 — LANDSCAPE HISTORY: DEVELOPMENT TIMELINE

**1919:** Toboggan run opens on the slope of Western Promenade; it is a total of 600 feet long. (Valley Street isn't yet constructed; it first appears on U.S. Geological Survey maps in 1941.)

**1921:** Memorial to Lieutenant Philip B. Frothingham erected on the terrace near Bowdoin Street below Prospect Point.

**1921:** From the Report of the Park Commission: "31 dead evergreens were replaced and 11 new ones planted from the nursery on Payson Park. We also bought 52 assorted evergreens, which were planted in the various beds. 200 iris were transplanted from the nursery at Park avenue and dotted here and there among the shrubbery. A large number of dead trees were removed from the banks. All main walks and roads were kept plowed and sanded, and steps shoveled during the winter."

**1922:** Park Commissioners consider consistent site lighting for Eastern and Western Promenades, as well as Baxter Boulevard and Deering Oaks Park.

**1922:** Survey and plans prepared for "development of the southerly end of the Western Promenade". No historical plans remain to determine what was planned for this portion of the park.

**1924:** Ski jump is constructed for Winter Carnival.

**1924:** The Great Depression halts any major development of the parks.

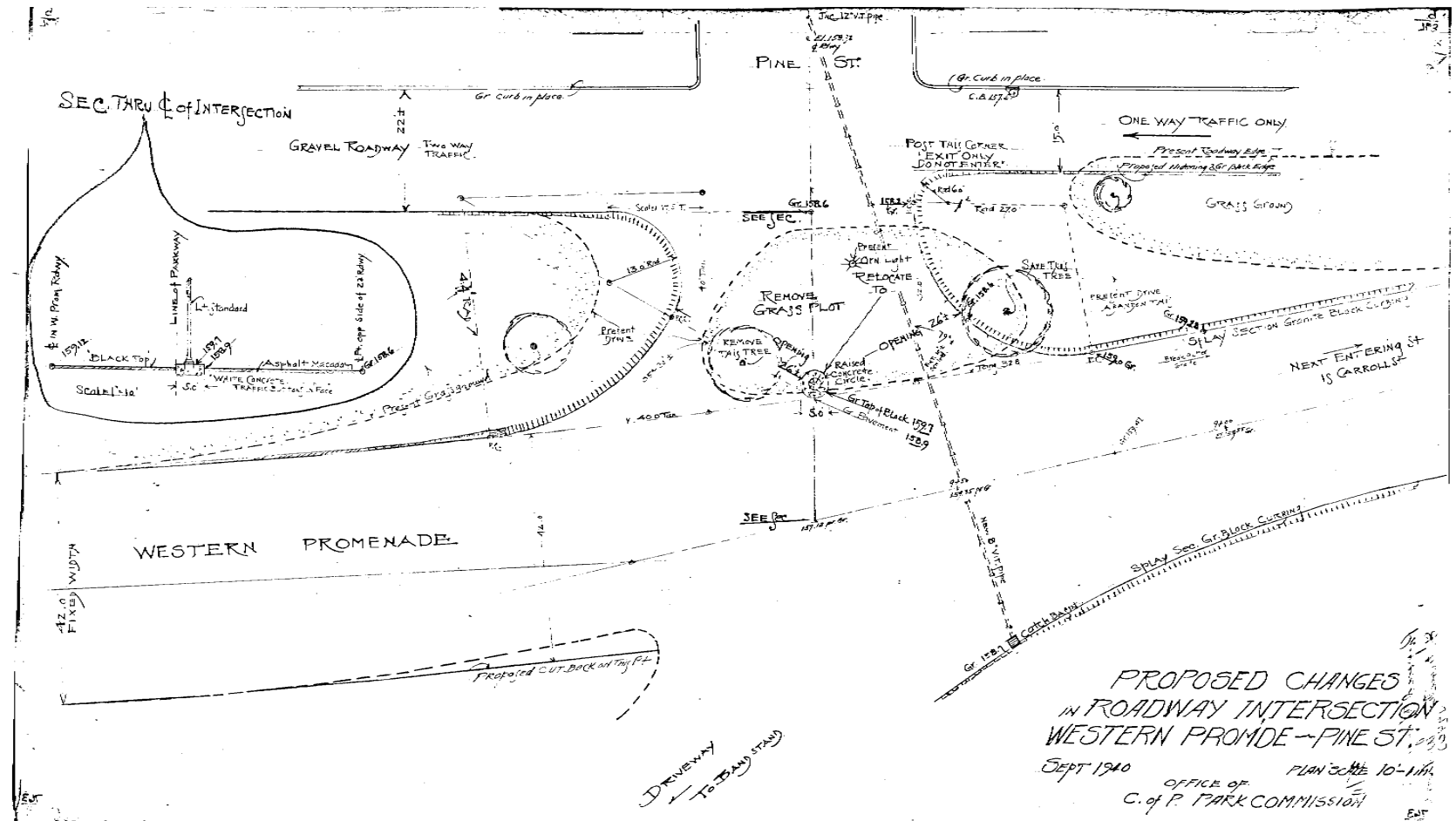
**1931:** Tobaggan run is rebuilt with lighting for expanded hours.

**1932:** Concrete and wood benches fabricated in City milling shop for parks.

**1933:** Civilian Conservation Corps (CCC) is established as part of New Deal-era programs, which also included the Works Progress Administration (WPA; established in 1935). The CCC "upgraded or maintained city streets, parks, sewers, or other infrastructure" in Portland.

**1934:** Eastern Promenade is widened to 36 feet.

**1936-1938:** Works Progress Administration coordinates the construction of over 525 linear feet of retaining walls at Western Promenade on Valley Street. The walls were built in conjunction with the construction of Valley Street and were used to stop gravel from rolling down the slope. Originally 2 to 4 feet high the walls were built of random ashlar stone with concrete bases and footings.



"Proposed Changes in Roadway Intersection: Western Promenade-Pine Street," 1940. The proposed changes to the esplanade reflected in this plan may be coordinated with the undated black and white photographs as some have pencil sketch lines that appears to sketch the changes in esplanade layouts similar to what is proposed in this plan. This change at Pine Street was implemented and reflects the current condition with no central island at the head of Pine Street. Image courtesy of Portland Parks Department Archive.

## SECTION 2 — LANDSCAPE HISTORY: DEVELOPMENT TIMELINE

**1943:** The City develops its first ever open space/recreation plan

**1960s:** Dutch elm disease reaches Portland; approximately 20,000 trees are lost.

**1961:** Union Station is demolished.

**1975:** Eastern and Western Promenades permanently protected for the city.

**1984:** Western Promenade Historic District listed on National Register for Historic Places.

**1989:** Western Promenade (and other Olmsted-design parks) are listed on National Register for Historic Places.

**1990:** The Historic Preservation Ordinance and Comprehensive Preservation Program is established in the City of Portland.

**1993:** Friends of Western Cemetery is established.

**1994:** Valley Street dog park is established after the fence is removed from Western Cemetery.

**1994:** Fore River Bridge is constructed.

**1994:** Deering Oaks Master Plan is prepared.

**1995:** Valley Street community gardens established; the first in Portland.

**2001:** Western Cemetery Master Plan is prepared and adopted by the City of Portland.

**2003:** Eastern Promenade Master Plan is prepared and adopted by the City of Portland.

**2005:** Portland's Comprehensive Plan (Compilation of Adopted Documents, Goals and Policies) states that it is a goal to develop a master plan for each of the historic parks which "respects and builds upon the original design intent with appropriate improvements reflecting contemporary needs".

**2010s:** Stairs at northern end of park are eliminated and replaced with switchback path system.

**2018:** Friends of Western Promenade is established.

**2019:** Maine Medical Center begins construction on new employee parking garage between Valley and St. Johns Streets. The City works with MMC to ensure that the impacts to the park are limited.

## WESTERN PROMENADE IN PICTURES



*(left) Circa 1885 historic photograph of Western Promenade in winter. The image is approximated to have been taken circa 1885, as the horseshoe driveway was installed in 1888. Image courtesy of Portland Parks Department Archive.*

*(right) "View southwest from Western Promenade, Portland, in June 1901." Image courtesy of the Maine Memory Network.*



## SECTION 2 — LANDSCAPE HISTORY: WESTERN PROMENADE IN PICTURES



*(top) Undated historic view of the Western Promenade roadway with bandstand in the distance. Image circa 1892 as the pavilion has been constructed but the road does not appear to have yet been macadamized (occurred in 1895). Image courtesy of Portland Parks Department Archive.*



*(bottom) “Thomas Brackett Reed monument, Portland, ca. 1910. Postcard of the Thomas Brackett Reed monument in Western Promenade in Portland. Reed dominated Maine’s political scene at the end of the nineteenth century. He served as Speaker of the House of Representatives and was known for his oratory and string convictions.” Image courtesy of the Maine Memory Network.*



*"Toboggan Chute, Western Promenade, Portland, ca. 1922. In the early 1920's, the City of Portland built a wooden toboggan chute on the Western Promenade. The site, which included a wooden ski jump, provided the focal point for the Portland Winter Carnival, first held in 1922. During the 1924 carnival, as many as 5,000 spectators watched ski jumpers compete." Image courtesy of the Maine Memory Network.*

## SECTION 2 — LANDSCAPE HISTORY: WESTERN PROMENADE IN PICTURES



(left) “Ski jumper in Portland, 1924. Ski jumper flying off a wooden structure built for the 1924 Winter Carnival in Portland, Maine. This ski jump was built by skier Birger Olsen on the Western Promenade. More than 5,000 spectators came to see this event.” Image courtesy of the Maine Memory Network.



(right) “Ski jump, Western Promenade, Portland, 1924. Margaret Towne, age 16, of Berlin, New Hampshire, comes down the ski jump at Portland’s Western Promenade during the Winter Carnival of 1924.” Image courtesy of the Maine Memory Network.





*"View from Maine General Hospital, 1926." Images courtesy of the Maine Memory Network. This image is paired with the one on the following page.*



## SECTION 2 — LANDSCAPE HISTORY: WESTERN PROMENADE IN PICTURES



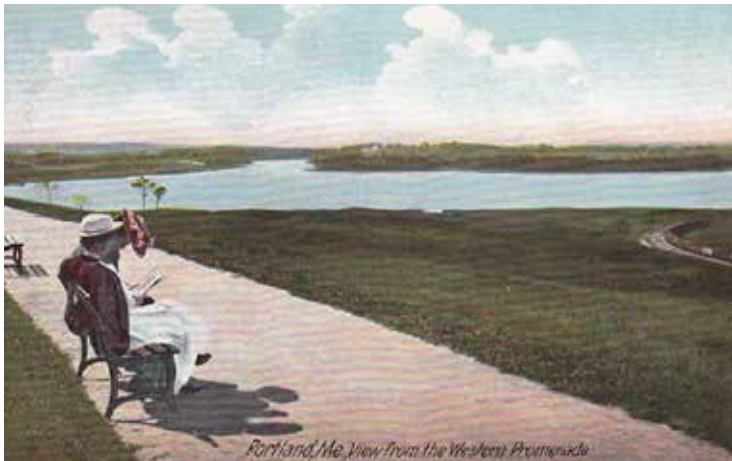
*1926 view of Western Promenade taken from Maine General Hospital (tower in the right of image). Note the plantings on the slope and the regularity of the benches along the pathway on the brow of the slope, as well as the pavilion in the left middleground. The walkway is the same layout as what exists today, but much wider. Views of the Fore River have already been impacted by industry. Image courtesy of the Maine Memorial Network.*



(left) Postcard of the Western Promenade, circa 1911. Published by the Leighton & Valentine Co., New York City. Images courtesy of Laura Robinson.



(right) Postcard of Western Promenade, 1928. Published by the Leighton & Valentine Co., New York City. Images courtesy of Laura Robinson.



(left) "Couple on a bench reading. View from the Western Promenade, Portland, Maine, 1900-1910s." Historic bench style dates the image to pre-1932. Image courtesy of Laura Robinson.



(right) Postcard of the pavilion at Western Promenade, circa 1936. Published by Chisholm Brothers, Portland, Maine. Image courtesy of Laura Robinson.



## SECTION 2 — LANDSCAPE HISTORY: WESTERN PROMENADE IN PICTURES



(left) “Maine General Hospital and Western Promenade”, 1906. Image purchased from [www.cardcow.com](http://www.cardcow.com)



(right) Postcard of “Western Promenade, showing Reed Memorial and Maine General Hospital”, circa 1912. Published by The Leighton & Valentine Co., New York City. Note the difference in space between the trees on the park side of the road and the edge of drive lane. Image purchased from [www.cardcow.com](http://www.cardcow.com)



(left) Postcard of the Western Promenade, no date. Published by Portland News Co., Portland, Maine. Images courtesy of Laura Robinson. Image taken circa 1940 as the cobblestone edging is visible.



(right) Postcard of Western Promenade, circa 1940. Published by The Eastern News Co., Portland, Maine.



(left) Postcard of “Western Promenade, Portland, Maine”, no date. Likely based on the stereograph image shown on page 33, circa 1926. Published by Portland News Co., Portland, Maine.



(right) Post card of “Maine General Hospital from Western Promenade, Portland, Maine”, 1924. Image purchased from [www.cardcow.com](http://www.cardcow.com)



(left) Postcard of “Maine General Hospital from Western Promenade”, no date. This image dates to circa 1930 based on the historic style of bench seen in the image. Image purchased from [www.cardcow.com](http://www.cardcow.com).



(right) Postcard of the Western Promenade and Maine General Hospital, no date. Published by the Leighton & Valentine Co., New York City. Based on the style of bench in the foreground (concrete and wood), this image likely dates to the 1930s. Image purchased from [www.cardcow.com](http://www.cardcow.com).



## SECTION 2 — LANDSCAPE HISTORY: WESTERN PROMENADE IN PICTURES



*Historical image of Thomas Brackett Reed sculpture and horticultural planting at base, no date. Concrete and wood bench in the background left is the style installed in the parks from 1932 on. Image courtesy of Eleanor Ames.*



*Historical image of Western Promenade looking down Bramhall Street (to the right) and Arsenal Street (to the left) towards Maine General Hospital, no date. Image circa 1940 based on the sketch lines of proposed cobblestone edging located just to the left of the edge of esplanade on the right of the image; see plan, page 24. Image courtesy of Eleanor Ames.*



## SECTION 2 — LANDSCAPE HISTORY: WESTERN PROMENADE IN PICTURES



*Historical image of Western Promenade looking down West Street, no date. Image courtesy of Eleanor Ames. Image circa 1940 based on the series of images from the same date of Western Promenade.*



*Historical image of Western Promenade with cobblestone edging and planting in esplanade, no date. Image courtesy of Eleanor Ames. This image and the one to the right is a “before and after” set. This image, circa 1940, shows the existing condition of the plan shown on page 24.*



## SECTION 2 — LANDSCAPE HISTORY: WESTERN PROMENADE IN PICTURES



*Historical image of Western Promenade looking towards Maine General Hospital with historical light fixtures and cobblestone edging, no date. Image courtesy of Eleanor Ames. This image shows the “after” condition once the improvements proposed on the plan on page 26 have been installed, i.e. cobblestone edging and simplified traffic islands, circa 1941.*



*Historical image of Western Promenade from Danforth Street, no date. Image courtesy of Eleanor Ames. Circa 1940.*



## SECTION 2 — LANDSCAPE HISTORY: WESTERN PROMENADE IN PICTURES



*(top) Picnic shelter in the lower park, circa 1970s.*

*(bottom left and right) Circa 2000 images of Valley Street dog park.*

*Images courtesy of Portland Parks Department Archive.*





*Circa 1990 image of the stairs at Valley Street in the lower portion of the park. Image courtesy of Portland Parks Department Archive.*



## SECTION 2 — LANDSCAPE HISTORY: WESTERN PROMENADE IN PICTURES



*2018 summer sunset at Western Promenade. Image courtesy of Portland Maine Parks, Recreation & Facilities Department Facebook page.*

As stated in the National Register Nomination Form for the park landscape, Western Promenade is historically significant as it was one of the earliest landscapes established for public use in the City and because of its ability to provide residents of 19<sup>th</sup> century Portland with “uninterrupted views of the surrounding countryside.” In an era of increasing development and industry, public open space provided city dwellers with opportunities to stroll and recreate in green spaces. Western Promenade provided fresh air and wide-open terrain which felt all the more expansive because of the borrowed scenes of the White Mountains, the Fore River and its marshes, and the lands beyond.

As the landscape developed from a simple, tree-lined carriage road into a park, tree and rambling pathways were added. Benches and a pavilion were incorporated to provide places for visitors to stop and rest and enjoy the vistas, and gradually, winter sport amenities were added to take advantage of the natural slope. Unlike the Eastern Promenade, no sports fields were ever introduced to the park but the attention to preserving the park’s historic character was otherwise lacking.

In the 20<sup>th</sup> century, modern trends and technology impacted the landscape by widening the road bed for the increasing volume and speed of automobiles, by changing the tree species collections, and by ornamenting the park with memorials and horticultural plantings. Finally, in the latter half of the 20<sup>th</sup> century, the addition of the Valley Street amenities significantly altered the lower park landscape.

What has not changed over the century and a half of the park, is the simple landscape design of the upper park with open lawn with meandering walkways; a vegetated slope; the opportunity from the upper park to enjoy the distant views and sunsets; and, the Western Promenade roadway as an avenue for pleasure use rather than a thoroughfare. The landscape designs of both the Olmsted Brothers and William Goodwin conceived of Western Promenade as this kind of uncomplicated landscape.

# 3: EXISTING CONDITIONS

The site inventory and assessment was completed between February and April of 2019. Initial findings were presented at the first public meeting of the master planning process in April, along with the historical research on the development of the site. This section of the report documents the conditions of Western Promenade (the park) at this time, and includes: regional context, landscape character, views and vistas, circulation, vegetation, geography and topography, and site amenities.

From here onward in the report, Western Promenade—the park—will be referred to as such and the Western Promenade roadway will be referred to thusly.



FIGURE 3-1. REGIONAL CONTEXT: BICYCLE NETWORK & TRAIL CONNECTIONS





## SECTION 3 — EXISTING CONDITIONS

### Regional context

Knowing how visitors get to Western Promenade from the surrounding area and mapping recreation opportunities in the region is essential to understanding how the site can and should function.

### **Bicycle network & trail connections**

Providing additional opportunities for visitors to access Western Promenade through systems other than private vehicular transportation helps to make the park part of the larger open space network, just as Mayor Baxter and the Olmsted Brothers had envisioned.

The City has mapped the “Bikeway & Pedestrian Network” for Portland. (The map is dated 2014 and some of these routes were listed as planned at that time.) The map describes neighborhood byways as: “local residential streets prioritized for bicycling and walking while still permitting regular motor vehicle traffic.” The City describes the program further: “Neighborhood Byways designate local streets to provide safer, more convenient and attractive biking and walking to connect the places people live, go to school, shop, work and play. It’s a shared roadway—local vehicle traffic continues to use the streets (with no change to the number of lanes), too, but walking and biking are made much more visible through pavement markings, the quality of the streetscape and signs. Their locations focus on

good transportation connections between schools, neighborhood centers, parks and open spaces, and residential areas.” Shared-use pathways are off-street alignments for multiple user groups. Sidewalks have not been included in the mapping.

The map denotes the Western Promenade roadway as a neighborhood byway and St. John Street as an on-road bikeway (both planned but not yet implemented). Danforth Street and West Commercial Street are designated as shared-use pathway (existing). In addition, Bramhall, Pine, Vaughan, and Brackett Streets—which all lead to Western Promenade—have also been designated as planned neighborhood byways. The Fore River Parkway Trail also connects to Western Promenade via West Commercial Street. Portland Trail’s description of the trail: “The wide, paved trail features lovely views of the Fore River. Along the way it passes Mercy Hospital, with access to Mercy’s Pond Loop Trail, which offers excellent bird watching. While the Fore River Parkway Trail provides safe access to Danforth Street, it ends abruptly on West Commercial Street—cyclists and walkers should use caution until sidewalk and bike lane improvements in this area are complete. This trail is maintained by the City of Portland.” The 2.6-mile trail also connects to the Portland Transportation Center and the regional bus network.

FIGURE 3-2. REGIONAL CONTEXT: PARKS & PLAYGROUNDS



## SECTION 3 — EXISTING CONDITIONS: REGIONAL CONTEXT

### **Parks & playgrounds**

During the public meetings, the community appeared divided on the need for a play space at Western Promenade. To better understand the recreation and play opportunities already existing in the West End and beyond, a study of the existing conditions of open space was prepared. Figure 3-2 on the adjacent page, maps all the playgrounds, parks, and athletic fields in the immediate area of Western Promenade. Three playgrounds are located within a few blocks of each other at the Reiche School, McIntyre Park, and the Clark Street playground. In addition, there is a relatively new playground at Deering Oaks to the north. McIntyre Park, is the only public play space with one-half mile (approximately a 10 minute walk) of Western Promenade; none are located within one-quarter mile (approximately a 5 minute walk) of the park.



*(top) Reiche School Playground*

*(bottom) McIntyre Park & Playground*

*Images courtesy of the City of Portland website*



FIGURE 3-3. EXISTING CONDITIONS: LANDSCAPE CHARACTER



## SECTION 3 — EXISTING CONDITIONS

### Landscape character

Western Promenade is an 18.3-acre park which is situated 175 feet above sea level on a steep escarpment. It straddles at least two neighborhoods, each with their own character. Because of the history of its development, portions of the park currently function in different ways with varying landscape characters depending on the area of the park and its context. Therefore, this Landscape Master Plans studies Western Promenade as one entity but it also defines distinct park areas by character and use; these park areas have been defined as:

- **The Western Promenade roadway:** Comprised of the roadbed, its esplanades, trees, and sidewalks. The roadway is characterized as a local road and as such it has relatively low traffic volumes, despite its generous width.
- **The upper park:** This is the formal park from the crest of the hill with the broad lawn, paved rambling walkways, benches, and garden plantings. This area is used for walking, seating, enjoying views and sunsets, picnicking, ball play and bike riding. At the southernmost end is the Prospect Point, the loop walkway at the head of Bowdoin Street.
- **The southern park:** This area begins below the terrace of Prospect Point at the Frothingham memorial space and continues

south along the roadway across from Western Cemetery. Today, this portion consists mainly of lawn and some specimen trees. There are no defined walkways and amenities include only lighting.

- **The slope:** The slope is densely wooded save for the most northern end which has paved paths extending from the upper park to Valley Street. Existing trails include the Toboggan Run Trail and the Carriage Road Trail. The slope has grown over time to obscure many of the views for which the land was preserved, and much of the vegetation is volunteer plants and invasive species.
- **The lower park:** This area is comprised of the more modern area of the park landscape along Valley Street at the base of the slope. It includes the community garden, dog park, a half-court basketball court, and the unpaved parking area.



FIGURE 3-4. EXISTING CONDITIONS: VIEWS & VISTAS



## SECTION 3 — EXISTING CONDITIONS

### Views & vistas

“The Western Prom, in particular, rising abruptly from low riverside, delineates and accentuates the sense of Portland as a unit, a city of stature, for any traveler approaching from the south.” *Green Space/Blue Edges: An Open Space & Recreation Plan for the City of Portland* (2006)

During the public engagement process, community feedback said that 65% of the visitors to Western Promenade come to enjoy the views from the site which included sunsets, mountains, planes, storms, and the Fore River and its salt marshes.

Today, though on a clear day Mount Washington and other peaks of the Presidential Range are visible, many of the best views are obscured. Some of the views have changed quite dramatically since the park was established and are less desirable, including manufacturing and industry along the Fore River and West Commercial Street.

As of fall 2019, the Maine Medical Center (MMC) was constructing a new employee parking garage between St. John Street and the rail line near D Street. The City worked with MMC to ensure that the garage would be less impactful to the views from Western Prom. They were required to reduce the height of the structure so that it did not extend above the elevation of Western Promenade.



(top) View of Mount Washington and the White mountains in November 2018

(bottom) View to Fore River south of Western Promenade near Western Cemetery





*(left, right) Visitors to the park enjoying a late June sunset, 2019*



*(left) A memorial bench which invites visitors to enjoy the view; and (right) the obscured view from that same bench, in November 2018*



## SECTION 3 — EXISTING CONDITIONS: VIEWS & VISTAS



*(left) View to the historic Maine Central Railroad General Office Building from the park, November 2018*



*(right) the new Maine Medical Center employee parking garage on the left of the image which is well-screened in September 2019; the Maine Central General Office Building is to the right of the image*

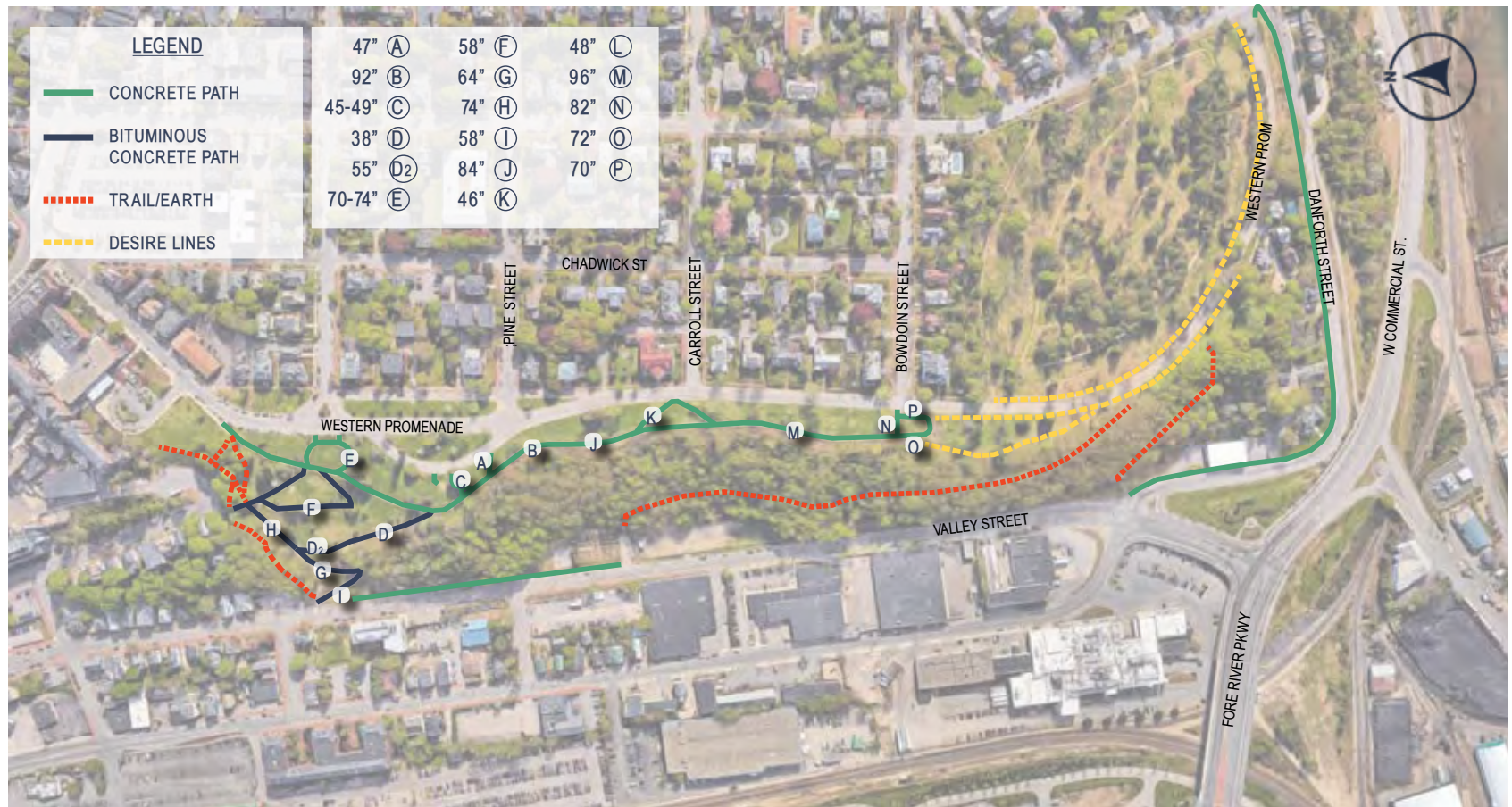


*(left) Open views to the Fore River and the Portland International Jetport in November 2019*



*(right) Obscured views in summer 2019*

FIGURE 3-5. EXISTING CONDITIONS: PEDESTRIAN CIRCULATION





## SECTION 3 — EXISTING CONDITIONS

### Circulation: pedestrian & vehicular

#### Pedestrian circulation

The existing landscape has a system of walkways and trails; some of which are historic and original to the park. Most of these walkways are within the upper park and some on the northern slope. Trails are within the wooded slope.

The historic walkways which are within the upper park are all concrete pavement. Their widths vary from 45 inches to 96 inches. The formal pathways which extend down the slope are all bituminous and vary between 38 inches and 58 inches wide. (Unfortunately, the historical records do not state the widths of the paths. They do, though, mention when some changes in material were made. In 1895 there is a notation of using concrete for the walkways in the park.)

There are two established trails in the park: Carriage Road Trail and Toboggan Run Trail. They are historic to the park, have been formalized in recent years, and are currently maintained by the City and Portland Trails. Carriage Road Trail is a remnant of the Bramhall estate. When the City first engaged the Olmsted Brothers to prepare plans for the improvement of the Promenades, John C. Olmsted reported back to the office that it: “Belonged to J. B. Brown, He graded a narrow, steep road down the face of the bluff.” The toboggan run, was just that—a remnant of the winter sports at the park from the early part of the 20<sup>th</sup> century.

A series of social trails are mostly at the extents of the park, where residents are making connections up and down the steep slope, and towards Maine Medical Center, and along the Western Promenade roadway on both sides of the road at Western Cemetery where no walkways or sidewalks exist. There are other social trails on the slope in other locations, but because of the steepness they are not used to the same extents as those on the northern end.

Sidewalks are minimal. They exist on the residential side of Western Promenade between Bramhall and Bowdoin Streets. On Danforth Street, sidewalks extend from the intersection with Vaughan Street but ends at Valley Street intersection. (Materials vary including concrete and bituminous concrete.) On Valley Street the concrete sidewalk extends from a relatively new crosswalk near the dog park (50 Valley Street) and continues to passed the entry to the park further to the north.

Crosswalks are extremely limited. Despite walkways that terminate at the Western Promenade roadway’s edge of pavement, no crosswalks have been incorporated into the road. All four roads at the Danforth/Valley/St. John Streets intersection have a painted crossing. The intersection of Danforth/Vaughan Streets has painted crossings on the north and west sides only.

FIGURE 3-6. EXISTING CONDITIONS: VEHICULAR CIRCULATION



## SECTION 3 — EXISTING CONDITIONS: CIRCULATION

### **Vehicular circulation**

Historical records, especially the postcards and photographs, make it apparent that the Western Promenade roadway was widened over time, but there is little information that defines the historical road bed width. The historical images show the varying dimension between the trees on the park side of the road and the edge of pavement. The images also show that the cobblestone edging that exists in the horseshoe was present all along the Western Promenade roadway. The same report that noted that walkways had been converted to concrete in 1895 also made note of macadamizing the surface of Western Promenade (the roadway). However, it wasn't until 1934 that the annual reports noted a width for the roadbed of either promenade, and that was to note that Eastern Promenade had been widened to 35 feet.

As part of this Landscape Master Plan, the existing roadway widths have been measured. (See Figure 3-6). Today's road bed varies from greater than 40 feet wide between West and Pine Streets, to approximately 34 feet wide from Pine Street passed Bowdoin Street, where it then reduces to approximately 28 feet wide or less.

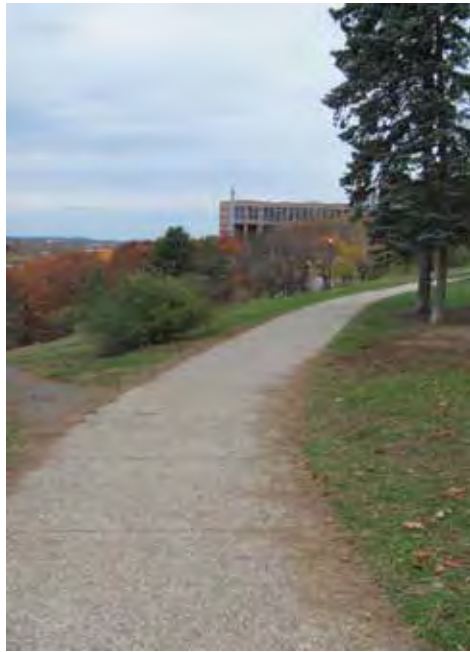
### **Parking**

Parking is available in the horseshoe between Pine Street and West Street on the park side only

between 9 a.m. and 5 p.m. for one hour only. At Bramhall Street, near the Maine Medical Center driveway, to just south of the Western Prom property line where Bramhall Street transitions to Western Promenade, parking is permitted on the park side of the street, but is metered. From the road transition, one-hour parking is allowed on the both sides of the street from 9 a.m. and 5 p.m. to Bowdoin Street. (Signage also denotes that the area is closed to parking on the park side of the street on the second and forth Wednesdays of the month for street cleaning; the neighborhood side of the street is closed to parking on the first and third Wednesdays of the month.) From Bowdoin Street south, no parking is allowed except for snow emergencies.

The City enforces a city-wide parking ban during snow emergencies for snow plowing/removal. During parking snow bans, residents are required to remove vehicles from on-street parking from 10 p.m. until 6 a.m., but they are allowed to park in a number of free locations specifically designated. Those include the Western Promenade roadway on the park side (from Bramhall Street to Vaughan Street only) and the horseshoe parking area. These areas are available from 5 p.m. until 7 a.m. only. This is the only time that parking is allowed on the lower portion of the Western Promenade roadway.





(top left, right) Exposed aggregate walkway; bituminous concrete walkway  
(bottom left, center, right) Stone dust/crusher fines walkway; social trail near MMC; and, Carriage Road Trail



## SECTION 3 — EXISTING CONDITIONS: CIRCULATION



*(top left, right) Exposed aggregate walkway ends where the pavilion used to stand; stone steps leading towards wooded slope from Prospect Point*



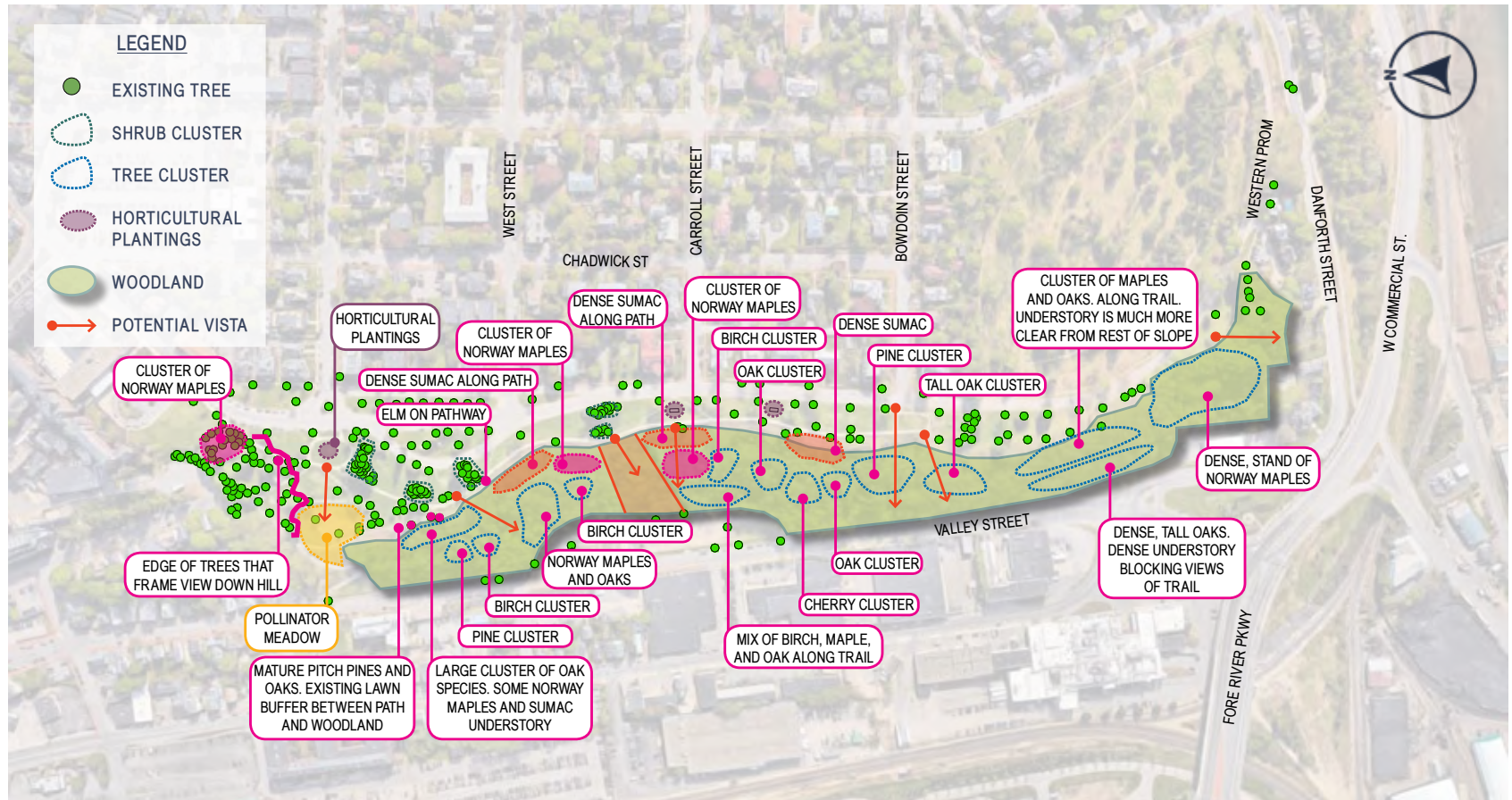
*(center left, right) Social trails near Gilman Place; historic cobble edging detail*



*(bottom left, right) Cobble-lined esplanade at horseshoe along the Western Promenade roadway*



FIGURE 3-7. EXISTING CONDITIONS: VEGETATION





## SECTION 3 — EXISTING CONDITIONS

### Vegetation

The specimen trees along the formal portion of the park and in the esplanades for the Western Promenade roadway have been mapped as part of a city-wide GIS-based tree inventory. From this data we can see that the trees in the roadway's main esplanades are predominantly comprised of:

- *Ulmus americana*, American elm (native)
- *Acer saccharum*, sugar maples (native)

Both of these species are the historical plantings. Additional trees include:

- *Ulmus pumila*, Siberian elm
- *Zelkova serrata*, zelkova (one)
- *Tilia spp.*, linden (one)
- *Fraxinus pennsylvanica*, green ash (native; located in the horseshoe esplanade)

Trees lining the roadway in the narrow esplanades are predominantly:

- American elm
- Siberian elm

Plus:

- *Fraxinus pennsylvanica*, green ash (native)
- *Acer saccharum*, sugar maples (native)
- *Tilia spp.*, littleleaf linden
- *Robinia pseudoacacia*, black locust
- *Liriodendron tulipifera*, tuliptree

- *Quercus palustris*, pin oaks
- *Pinus rigida*, pitch pines
- *Acer rubrum*, red maple (native)
- *Quercus rubra*, red oak (native)
- *Acer glabrum*, mountain maple (native)

The tree makeup in the upper park is diverse and, in addition to the tree species listed above, includes the following species:

- *Carya cordiformis*, butternut hickory (native)
- *Betula nigra*, river birch
- *Malus spp.*, crabapple
- *Betula populifolia*, gray birch (native)
- *Crataegus crus-galli*, cockspur hawthorn (native)
- *Juniperus virginiana*, cedar (native)
- *Abies spp.*, fir (native)
- *Pinus strobus*, white pine (native)
- *Picea pungens*, blue spruce (native)
- *Pinus nigra*, Austrian pine
- *Prunus serotina*, black cherry (native)



*(top left, right) Wooded slope obscuring views of the Fore River; Norway maples near Gilman Place*



*(center left) Lilac shrub plantings along top of bank obscuring views*

*(center right) Example of horticultural planting in Western Promenade, early 2000s; image courtesy of Portland Parks Department Archive*



*(bottom left, right) Evergreen plantings in the upper park*

## SECTION 3 — EXISTING CONDITIONS: VEGETATION

There are a series of evergreen cluster plantings throughout the upper park which date to the early 20th century. Many of these plantings (comprised of pines, firs, and spruces) have grown beyond their initial intent and some are creating unsafe conditions where people have been camping and sleeping. The deciduous shrub plantings also date to the early plantings of the park. Many have been removed for safety concerns. Several of the shrub plantings are located directly in front of site benches thereby blocking any views. Most of these plantings are lilacs.

There are three remaining beds of horticultural plantings, each situated between the main walkway and the Western Promenade roadway. While historically these were planted with perennials, they have been more recently planted with annuals and bulbs. One has been converted to a pollinator planting.

A larger pollinator planting area has been established on the slope in the northern portion of the park below West Street. The City is developing a program of urban meadows in their parks and open spaces. In addition to Western Promenade, they are located in seven other parks. From the City website on Urban Meadows: “Imagine a meadow filled with wildflowers, buzzing bees, birds, butterflies and even fireflies. Now imagine that in the heart of Maine’s most populated city. The Parks Department

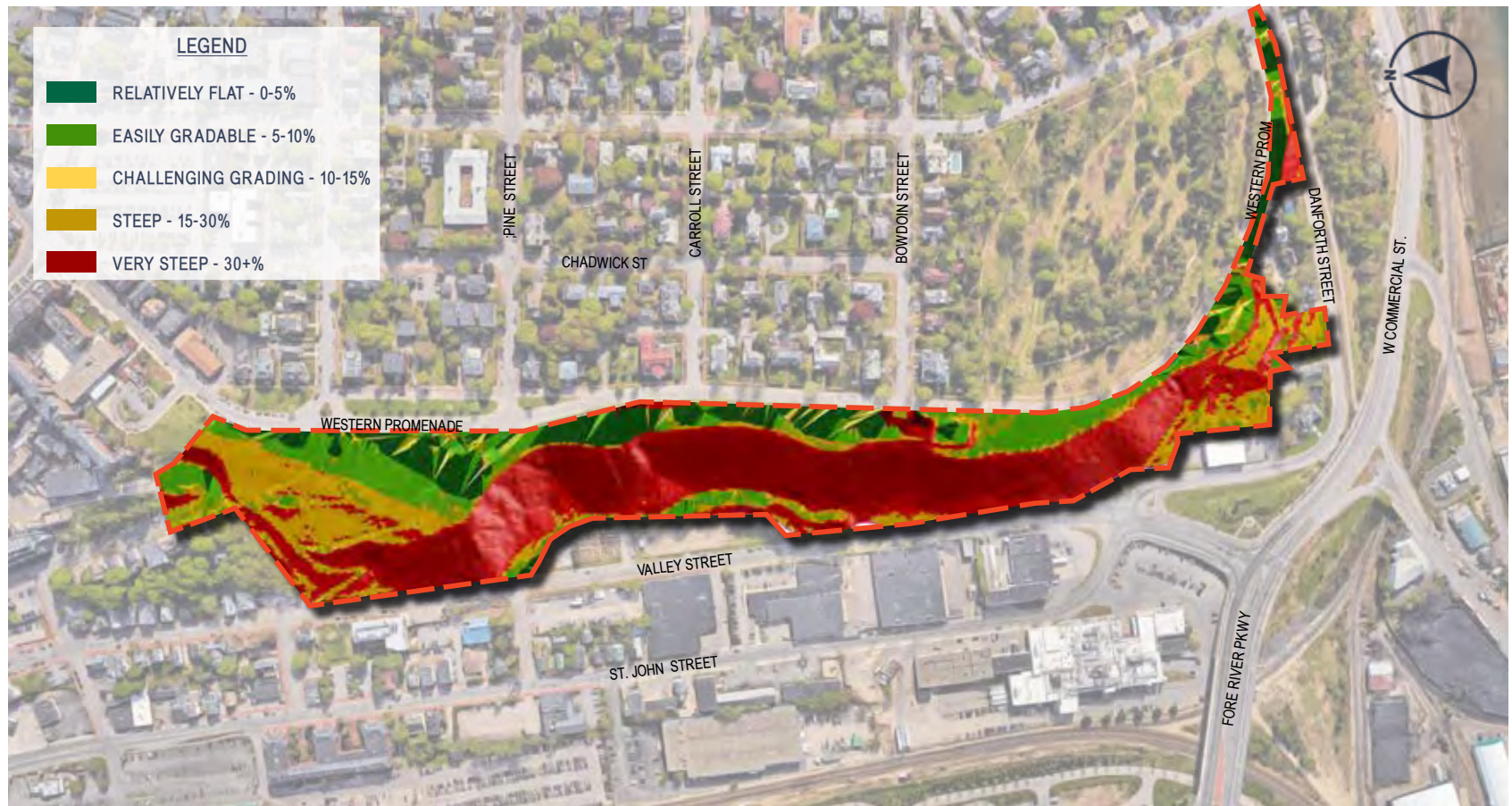
is maintaining many of our open spaces within the heart of the city as urban meadows, which serve as great habitat and a wonderful place to visit. Some even have labyrinths mowed into them for epic games of hide and seek.

These spaces serve as vital habitat, but since they are only mowed once annually, they also serve a dual purpose of reducing operating expense with labor, equipment wear and tear, and gas. Portland’s meadow areas are mowed once annually in November. Some meadow areas receive extra plantings of native wildflowers and grasses, while others are left to just naturally propagate with wind and animal-borne seeds. Visit these spots today to get a taste of nature in the heart of the city.”

In Figure 3-7, the tree clusters in the wooded areas have been identified. These mainly exist on the slope but some extend above the bank. Birch clusters, pine clusters, and oak clusters are all beneficial and native species to the region. However, some of the oaks and pines are blocking positive viewsheds. The clusters of Norway maples are more problematic as they are an invasive species in the state of Maine. Their dense shade out-competes other beneficial species and they spread rapidly.



FIGURE 3-8. EXISTING CONDITIONS: TOPOGRAPHY



## SECTION 3 — EXISTING CONDITIONS

### Topography & soils

#### Topography

Topographic information for the site, when analyzed, shows that the slope is mainly comprised of gradients that are around 3:1 and greater (steeper than 30%). The upper park and southern park areas are predominantly around 10% or less, making it within the range of accessible slopes for walkways and spaces based on the ADA Accessibility Guidelines. (Accessible routes are required to be no greater than 1:20. Accessible routes of 1:20 or greater are considered ramps and require handrails; routes with gradients steeper than 1:12 are not allowed.) New walkways considered for this area can likely be made accessible but additional topographic survey information and grading studies will be required to confirm.

Portions of the northern slope near Gilman Street and Maine Medical Center are between 15% and 30% meaning that any walkways in this area will not be accessible, and may require stairs to be traversable.

#### Soils

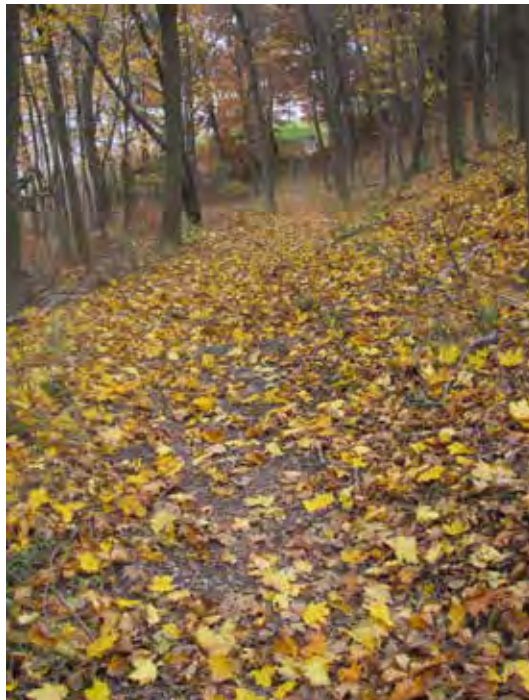
The USDA's Natural Resource Conservation Service's (NRCS) soil survey map shows 3 types of soil for the Western Promenade project boundary. (The survey data is from 2018.) This data is supported by what was provided by the City who reported that the soils in the park are very sandy and free draining. Because of this, the turf in the upper park is usually dormant by Independence Day.

**Cut & fill land (Cu):** This comprises a small fraction of the overall site and is confined to the far southwestern corner of the site near the intersection of West Commercial Street and the Portland Connector.

This soil type is generally classified as having the following characteristics:

- Typical profile:
  - 0 to 65 inches: very gravelly sandy loam
- 0 to 35 percent slopes
- Moderately well drained
- 24 to 42 inches to water table
- Moderate water storage (around 6.6 inches)





*Examples of slopes around the park*

## SECTION 3 — EXISTING CONDITIONS

### **Hinckley loamy sand, 3 to 8 percent slopes**

**(HIB):** The HIB classification, on the NRCS map is shown for the majority of the upper park and the roadway. It generally runs along the top of bank. The HIB classification also includes the lower park and Valley Street, as well as a small segment just to the north of C Street.

This soil type is generally classified as having the following characteristics:

- Elevation: 0 to 1,430 feet
- Landform: outwash terraces, eskers, moraines, etc.
- Landform position: summit, backslope, footslope, shoulder
- Parent materials: Sand and gravelly glaciofluvial deposits derived from gneiss and/or granite and/or schist
- Typical profile:
  - 1 to 8 inches: loamy sand
  - 8 to 11 inches: gravelly loamy sand
  - 11 to 16 inches: gravelly loamy sand
  - 16 to 19 inches: very gravelly loamy sand
  - 19 to 65 inches: very gravelly sand
- 3 to 8 percent slope
- More than 80 inches deep before refusal
- Very low runoff/excessively drained

- More than 80 inches to water table
- Zero frequency of flooding or pond

### **Hinckley loamy sand, 15 to 25 percent slopes**

**(HID):** The classification comprises approximately half of the project area from Gilman Place to Danforth Street. It follows the slope and gives a general sense of the severity of the steepness of the slope.

This soil type is generally classified as having the following characteristics:

- Elevation: 0 to 1,460 feet
- Landform: outwash plains, eskers, moraines, outwash terraces, etc.
- Landform position: backslope
- Parent materials: Sand and gravelly glaciofluvial deposits derived from gneiss and/or granite and/or schist
- Typical profile: same as classification HIB above
- 15 to 25 percent slope
- More than 80 inches deep before refusal
- Low runoff/excessively drained
- More than 80 inches to water table
- Zero frequency of flooding or pond



FIGURE 3-9. EXISTING CONDITIONS: SITE AMENITIES





## SECTION 3 — EXISTING CONDITIONS

### Park amenities

#### Site amenities

The most prevalent site furnishings at Western Promenade are site lighting and benches. Site lights are a mix of fixture types. Along Western Promenade are typical roadway galvanized cobra-head lights. An acorn style fixture is used along the slope pathways which lead down the hill at the northern end of the park, but the poles are much too tall for pedestrian-scale lighting and appear incongruous next to a recently-constructed walkway.

The benches are also mixed. The City's specified bench for historic landscapes is the 1939 World's Fair bench in ipe wood and cast iron. Many of the benches are of this style and many have been dedicated. However, there are also some existing benches of an outdated style with concrete stanchions; these are typically in very poor condition. The benches are placed on concrete pads that are 3 feet long by 7 feet wide which does not meet ADA Accessibility Guidelines by creating companion spaces.

Two waste receptacles/recycling bins (paired) were in the park when the existing conditions inventory was completed: one at the apex of the horseshoe and one at Prospect Point. The waste receptacle is a Big Belly solar powered compactor and the recycling bin is a vertical steel strap model in blue. (Likely Victor Stanley model #ES-135.)

One bike rack is located near Maine Medical Center and one drinking fountain is located along the main path across from Pine Street. The bike rack is a black powder-coated DERO 'Bike Hitch' or lollipop style. It is not located on an accessible route nor does it have a hardscape area on which the bike could be parked. The single water fountain is a two-bowl historical reproduction in cast iron (black) with brass bowls. One additional drinking fountain was located in the southern end of the park near Prospect Point but was removed several years ago. A flagpole is located outside the horseshoe just to the south at the head of Pine Street.



*(top) Existing street lighting and walkway lighting*



*(center) Existing site benches and memorial plaques*



*(bottom) Thomas Brackett Reed statue, Philip B. Frothingham memorial, & flagpole*

## SECTION 3 — EXISTING CONDITIONS: PARK AMENITIES

### **Markers and memorials**

Two memorials are included in the park: one for Thomas Brackett Reed—located in the esplanade by the horseshoe—and one for Philip B. Frothingham—just below Prospect Point. The Reed sculpture is elevated above the landscape on a pedestal and has no horticultural planting around it like is seen in select historical images. The Frothingham memorial is a large boulder with bronze plaque. It is flanked by overgrown yew shrubs.

Three granite monuments mark the true meridian line. The center monument has a small bronze marker that reads:

“True North Meridian  
Narragansett Chapter  
Surveyed 1841-2003”

### **Signage**

Signage is varied within Western Promenade. Roadway rules and regulation signs are posted along the Western Promenade roadway and conform to the Manual on Uniform Traffic Control Devices. At the Western Promenade and Danforth Street intersection a sign states “Western Prom” on a wooden post.

The Portland Trails signage is standardized. Secured to a wooden post are two signs: the upper sign states the Portland Trails logo and the lower sign designates the trail name and the street it accesses.

Additional signage includes a “West End Native Pollinator Garden” sign which describes the planting project, the stakeholders, and a web address for additional information.





(top) Existing drinking fountain, bike rack, & waste/recycling bins



(center) Signage examples

(bottom) Meridian markers



## SECTION 3 — EXISTING CONDITIONS: PARK AMENITIES

### **Walls**

There are a number of retaining walls throughout Western Promenade, each with their own character. The walls supporting the grade along Valley Street were constructed as part of the Works Progress Administration (WPA) as the street was constructed. The “Living New Deal” website (<https://livingnewdeal.org>) states that the walls were started in 1936. Originally, there was 525 feet of these walls, in two sections, built of irregular, angular stone. Today, these walls have been added to vertically, and the more modern additions are very distinct as they are either course stacked stone, or cast-in-place concrete retaining walls.

At the Valley Street entrance towards the northern end of the park, there is a stone gateway and retaining walls. There is no clear evidence when these were built, but it is likely around the same time as the WPA retaining walls.

Prospect Point was graded and terraced between 1884-1885. These walls are some of the most formal in the park, and have been recently restored by the City’s Parks, Recreation, and Facilities Department staff.

There are two segments of modern concrete block segmental retaining walls in the park. Both occur as part of the switchback pathway in the north of the park and are clearly modern interventions.

Finally, there is a dry fieldstone wall at the terminus of Western Promenade roadway at Vaughan Street.



*(top) Modern concrete block wall along the switchback path*

*(bottom) Dry fieldstone wall along Western Promenade near Vaughan Street. Image courtesy of the Friends of Western Prom.*





(top) Prospect Point retaining walls. The wall segment in the image on the right extends towards the slope.

(center) WPA-era Valley Street retaining wall on the southern end of the park

(bottom) WPA-era Valley Street retaining wall & gateway on the northern end of the park near C Street. This image of the left also shows a modern addition of segmental concrete unit wall block meeting the historical pier. The image on the right shows the modern addition of stacked stone.



## SECTION 3 — EXISTING CONDITIONS

### Utilities

The spotlight that illuminated the bandstand still exists despite the fact that the pavilion was removed more than twenty years ago. Power comes off the pole at Western Promenade near the bandstand area.

There is no electrical infrastructure for events and/seasonal lighting.

The water source for the drinking fountain connects across Western Promenade near Bowdoin Street (where the removed drinking fountain was located). From here, the line runs along the esplanade to existing water fountain. A second connection at overlook pathway loop. Pressure at the Bowdoin Street connection is approximately 15 psi.

The water source for the dog park is located in the esplanade of Valley Street at the entry to the switchback path, approximately 300 yards to the north. Two faucets are located in the dog park.

Currently, there is no irrigation in the parks, for landscape areas or turf. Flower beds are hand-watered.

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# 4: PRESERVATION TREATMENT

## Preservation philosophy

To understand the preservation philosophy and treatment methodology to be applied to any cultural landscape, there are a number of factors that must be considered. These include historical significance, period of significance, integrity, and identification of the character-defining features.

In 1996, the U.S. Department of the Interior published the Secretary of the Interior's *Standards for the Treatment of Historic Properties and the Guidelines for the Treatment of Cultural Landscapes*. The *Guidelines* (hereafter) assist preservation planners and managers of cultural landscapes to understand appropriate methods of treatment as they apply to cultural landscapes and their dynamic resources.

### **Statement of significance**

The **significance** of a cultural landscape is derived from its associations and features. There are four criteria considered when evaluating a historic landscape for inclusion on the National Register or a local designation. A landscape must meet at least one of the following criteria in order to be considered a significant cultural landscape:

- A. Event: have an association with an event that contributed to broad patterns of history;
- B. Person: have an association with the life of a significant person;
- C. Design/construction: be representative of a “distinctive characteristic of a type, period, or method of construction”, represent the work of a master, or possess “high artistic value”; and/or,
- D. Information potential: possess the potential to yield significant information important to prehistory or history.

The *National Register Nomination Form* (NRNF) for Western Promenade (1989) identifies the park’s eligibility based on its association (Criterion C) with both the Olmsted Brothers firm and William A. Goodwin—Portland’s City Engineer from 1872-1892.

Western Promenade is a key landscape in the City of Portland’s park system; it is also one of the earliest components of the system. “Despite the inability of the City to carry out the [Olmsted Brothers] designs for the Western Promenade, the site maintains its original design objective. That is, to provide uninterrupted views of the surrounding country side.” (NRNF, Section 7-3)

Western Promenade is also significant based on the type of landscape: “The site is significant primarily as an early example of a recognized and preserved scenic landscape.” (NRNF, Section 8-1)

## SECTION 4 — PRESERVATION TREATMENT: PRESERVATION PHILOSOPHY

### **Period of Significance**

The *National Register Nomination Form* for the Western Promenade (recorded in 1989) identifies the period of significance as 1836 to circa 1920. These dates recognize the development of the park into the 1920s and reflect that changes continued in the landscape after this date, but that the historic park landscape was essentially completed by this time. These dates also reaffirm the significance of the association with the Olmsted Brothers and William Goodwin.

The National Register of Historic Places also identifies three significant dates within this period:

- **1836:** Date of first land acquisition by the City of Portland for the creation of the promenade (roadway)
- **1878:** William A. Goodwin makes recommendations for expanded park to accompany the roadway: “Such ground should have an approach commensurate with the value of the outlook.”
- **1905:** The publication of Mayor James Phinney Baxter’s *The Park System of Portland* with the Olmsted Brothers plans for Western Promenade. This is also the date of land acquisition of the acreage (the J. B. Brown estate) which comprises the existing park.

It is the opinion of the Master Plan committee that the Period of Significance for Western Promenade should be extended to include the work conducted as part of the Works Progress Administration (WPA) from 1936-1938. The WPA constructed the approximately 525 linear feet of retaining walls in conjunction with the construction of Valley Street. Prior to this time, the park landscape continued further to the west, as can be seen in the winter sports photographs from the 1920s.

By extending the Period of Significance to include this work, the walls become contributing resources of the cultural landscape and the Period of Significance more accurately reflects the final major changes to the park and its boundaries. Based on this change, the Period of Significance for Western Promenade has been adjusted to **1836 to 1938**.

### **Character-defining features**

**Character-defining features** are those features of a historic site that without which the landscape would cease to maintain its historical character and significance. For Western Promenade, the character-defining features of the park represented during the period of significance include:

- Views of the surrounding countryside: mountains and the Fore River
- The Western Promenade roadway (1836)
  - Tree-lined street (c. 1876)
  - Treed esplanades (1915)
- Broad lawn at top of escarpment with seating (1880)
- Prospect Point wall & terrace (1884-1885)
- Ornamental horticultural planting beds (1888)
  - Evergreen plantings (1917)
- Steeply sloped hillside with trees
- Path system
  - Formal walkways along brow of escarpment (1878)
  - Rambling paths (1878)
  - Walkway from brow of hill down the slope (1905)

### **Missing features**

Missing features include those elements of the landscape that were present during the Period of Significance but have since been lost. Even with the broad Period of Significance set forth in the Nomination form, only 2 missing features have been identified:

- Stevens & Cobb pavilion (1891)
- Stairs at northern end of park (1905)

(Dates included are those dates when the feature was first known to have been implemented or included within the park. Naturally occurring features have not been dated.)

## SECTION 4 — PRESERVATION TREATMENT: PRESERVATION PHILOSOPHY

### **Statement on integrity**

The Western Promenade remains significant today by providing visitors and residents of Portland with a publicly-owned and maintained site from which to take in the magnificent views of the countryside and the White Mountains. Although increased development has changed the view immediately to the west, the Promenade retains the purpose and intent for which it was initially developed and preserved. (NRNF, Section 8-3)

**Integrity** is defined in the *Guidelines* as “the authenticity of a property’s historic identity, evinced by the survival of physical characteristics that existed during the property’s history period. The seven qualities of integrity as defined by the National Register Program are location, setting, feeling, association, design, workmanship, and materials.” (Guidelines 5)

- **Location** and **association** have not yet changed since the period of significance.
- **Setting** of cultural landscapes, however, nearly always transform over time; and the **feeling** tends to be closely associated with the setting. Here, the setting has been altered with the removal of Bramhall Estate (1915), the expansion of Maine Medical Center (circa

1931, 1951), and the development below the slope (of Valley and St. John Streets), along the Fore River, and the Fore River Parkway. Also, the overgrowth of the trees, the evolution in plant species, and the plant density on the slope have significantly altered the setting of Western Promenade.

In this case, the feeling varies in different parts of the park, but most portions of the park have been altered by the setting which therefore changes the feeling as well. The one exception may be the southern park near Western Cemetery; here, the setting and feeling have remained essentially unchanged.

- Since the end of the period of significance, the landscape’s **design** has changed, but not significantly. However, these design changes do not change the original design significantly.
  - The pavilion has been removed, but the space around it remains relatively unchanged.
  - The Western Promenade roadway has been widened since its initial implementation, and traffic changes have been made, such as reducing the northern most section to one-way traffic.
  - The path from the brow of the hill to the base has been converted from stairs to a sloped walkway.

- **Workmanship** and **materials** are closely related. Here, material changes include the “improvements” of the road from dirt to macadam to bituminous concrete and the paths to either bituminous or concrete. The benches have been replaced with different styles and materials at different times.

Nearly a century has passed since the end of the period of significance established for Western Promenade. In that time, certain portions of the park landscape have changed more dramatically than others: the lower park with the introduction of the dog park and community gardens; and the slope which has become substantially more and more densely vegetated. The viewsheds and vistas—which are part of the original design intent behind establishing the landscape as public open space—have been significantly impacted. As described above, character-defining features have been changed, and two have been removed from the landscape altogether. While few of these changes appear to be dramatic in how they have altered the park landscape taken individually, they contribute to a general degradation of the original character of Western Promenade. In fact, the original design intent: “to provide uninterrupted views of the surrounding countryside” has been most significantly compromised by the deferred maintenance of the vegetation and the regional development.

## SECTION 4 — PRESERVATION TREATMENT

### Treatment methodology

#### Treatment methods

The *Secretary of the Interior's Standards for the Treatment of Historic Properties and the Guidelines for the Treatment of Cultural Landscapes* (the *Guidelines*) identifies four methods of preservation treatment: preservation, restoration, rehabilitation, and reconstruction. They are defined as:

- **Preservation:** “the act or process of applying measure necessary to sustain the existing form, integrity, and materials of an historic property.”
- **Restoration:** “the act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of removal of features from other periods in its history and reconstruction of missing features from the restoration period.”
- **Rehabilitation:** “the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey historical, cultural, or architectural values.”
- **Reconstruction:** “the act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site [...] for the purpose of replicating its appearance at a specific period of time and in its historic location.”

#### Proposed treatment

More often than not, a cultural landscape is treated as a **rehabilitation** project (unless it is a “Historic site” such as a battlefield, etc.). This allows the opportunity to alter the design so that modern regulations and guidelines can be accommodated (i.e. Americans with Disability Act Accessibility Guidelines, stormwater guidelines, and building codes). It also allows modern technology, such as improved pavement materials and light fixtures to be implemented. Rehabilitation also provides for the inclusion of new amenities, parking improvements, additional pedestrian connections, and safety/security measures.

For Western Promenade as a whole, rehabilitation is proposed to allow adjustments to be made with the pathways, site amenities, and viewsheds, etc. This also allows this landscape master plan to maintain the features that have been introduced since the end of the Period of Significance, such as the dog park and community garden, and to consider thoughtfully implementing new features that have been recommended by the community and the City. Most importantly, rehabilitation will ensure that the historic character of the property will be retained. The value of a landscape master plan is to guide improvements consistent with the original intended design, character and materials as possible.



Within the “rehabilitation” treatment method selected for the park as a whole, restoration of specific elements is appropriate, especially for those elements where sufficient documentation is available.

Key features proposed for restoration include:

- The maple and elm trees lining the Western Promenade roadway and esplanades
- Views of the mountains, Fore River, sunsets, etc.
- Ornamental horticultural plantings, to the extent feasible
- Evergreen plantings, to the extent feasible
- Rambling pathways through the woodlands
- Walkway from the brow of the hill down the slope

Additionally, reintroducing missing features in a modified but compatible design is also appropriate under rehabilitation. Key features proposed to be reintroduced to Western Promenade include:

- The Stevens & Cobb pavilion
- Stairs at northern end of park

## SECTION 4 — PRESERVATION TREATMENT: CITY REVIEW STANDARDS

### City of Portland's Historic Preservation Review Standards

In addition to federal standards, the City's Historic Preservation Ordinance establishes standards for the review of proposed alterations to its designated historic properties, including historic landscapes. These standards are based on the Secretary of the Interior's *Standards for the rehabilitation of Historic Properties* and have been applied to proposed treatments and recommendations discussed in the following section of the Historic Landscape Master Plan.

#### **Standards for Review of Alterations to Contributing and Landmark Properties**

In considering an application for a Certificate of Appropriateness involving alterations to landmark and contributing structures, the Historic Preservation Board applies the following general review standards:

- **Standard #1:** Every reasonable effort shall be made to provide a compatible use for the property which requires minimal alteration to the character-defining features of the structure, object, or site and its environment or to use a property for its originally intended purpose.
- **Standard #2:** The distinguishing original qualities or character of a structure, object, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- **Standard #3:** All sites, structures, and objects shall be recognized as products of their own time, place and use. Alterations that have no historical basis or create a false sense of historical development such as adding conjectural features or elements from other properties shall be discouraged.
- **Standard #4:** Changes which may have taken place in the course of time are evidence of the history and development of a structure, object, or site and its environment. Changes that have acquired significance in their own right, shall not be destroyed.
- **Standard #5:** Distinctive features, finishes, and construction techniques or examples of skilled craftsmanship which characterize a structure, object, or site shall be treated with sensitivity.
- **Standard #6:** Deteriorated historic features shall be repaired rather than replaced wherever feasible. Where the severity of deterioration requires replacement of a distinctive feature, the new feature should match the feature being replaced in composition, design, texture, and other visual qualities and, where possible, materials. Repair or replacement of missing historic features should be based on accurate duplications of features, substantiated by documentary, physical, or pictorial evidence rather than

on conjectural designs or the availability of different architectural elements from other structures or objects.

- **Standard #7:** The surface cleaning of structures and objects, if appropriate, shall be undertaken with the gentlest means possible. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be undertaken.
- **Standard #8:** Every reasonable effort shall be made to protect and preserve significant archaeological resources affected by or adjacent to any project. If resources must be disturbed, mitigation measures shall be undertaken.
- **Standard #9:** Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant cultural, historical, architectural, or archaeological materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the size, scale, color, material, and character of the property, neighborhood, or environment.
- **Standard #10:** Wherever possible, new additions or alterations to structures and objects shall be undertaken in such a manner that, if such additions or alterations were to

be removed in the future, the essential form and integrity of the historic property would be unimpaired.

# 5: HISTORIC LANDSCAPE MASTER PLAN

This Historic Landscape Master Plan was developed in coordination with the Western Promenade Planning Committee, and informed by the public input through two public meetings and a community survey. Recommendations have been reviewed by various members of the City of Portland departmental staff, as well as members of the Friends of Western Promenade.

The following pages include the rendered Landscape Master Plan followed by guiding principles developed for the master planning process. These are followed by general recommendations or design guidelines: overarching guidelines that may be applied to the entire landscape. These include recommendations such as developing planting zones; establishing site amenity, site lighting, and signage standards; as well as, park connectivity and trailheads.

Next, the Landscape Master Plan breaks the Western Promenade landscape into five “zones” or landscape areas. These are the same areas referred to elsewhere in the report and include:

- The Western Promenade roadway
- The upper park
- The southern park
- The slope
- The lower park (Valley Street)

For each of these park landscapes, an enlargement of the Historic Landscape Master Plan is provided and supported by area-specific design guidelines, recommendations, and representational imagery.

## LANDSCAPE MASTER PLAN

### LEGEND

- |                                      |                                         |
|--------------------------------------|-----------------------------------------|
| <b>A</b> NEW PARK GATEWAY/TRAILHEAD  | <b>F</b> NEW SIDEWALK                   |
| <b>B</b> PROPOSED CROSSWALK          | <b>G</b> NEW WALKWAY/TRAIL SEGMENT      |
| <b>C</b> PROPOSED FOOD TRUCK PARKING | <b>H</b> VIEWSHED CLEARING              |
| <b>D</b> HISTORIC TREE PLANTING      | <b>I</b> RESTORED PAVILION/SEATING AREA |
| <b>E</b> NARROWED ROAD BED WIDTH     | <b>J</b> FROTHINGHAM MONUMENT           |





## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN



## Guiding design principles

Early in the master planning process, guiding principles were developed to shape recommendations and to ensure that future work within the park follow the project goals and objectives. These project-wide guiding principles are followed by park-wide design guidelines based on the City and community's desires for the park.

### Guiding principles

- A. Restore the design intent of William Goodwin's and the Olmsted Brothers' plans for the park—that is, a public open space to enjoy scenic views and recreate in a passive manner—while ensuring a safe and inviting park for all residents of Portland and visitors of all ages.
- B. Enhance opportunities for enjoying viewsheds through selective clearing/pruning of existing vegetation and invasive species removal.
- C. Emphasize that the Western Promenade is a 'signature park' of Portland, not only a neighborhood park. It should welcome all visitors, and it should be multi-generational.
- D. Maintain and restore character-defining features. Maintain historic materials (including plant materials) to the extent feasible. Reintroduce missing historical features: the 1891 pavilion and stairs on the northern slope.
- E. Implement site amenity and signage standards throughout the park. Consider established city of Portland standards as appropriate to the historic park setting. For site amenities which do not currently have standards, work with the City to establish them for historic landscapes.
- F. Ensure that proposed rehabilitation measures utilize durable high quality materials, standard amenities, and park components that ease maintenance and do not substantially increase reliance on City resources.
- G. Establish planting zones which are sensitive to the historical context but allow for the community's desire for sustainable plantings (i.e. turf alternatives, pollinator plantings) where appropriate.
- H. Consider connections into the park and how visitors access the site other than by car, i.e. bicycle and pedestrian routes.
- I. Create better connections within the park which allow for improved visitor experiences, i.e. loop trails.
- J. Establish walkway and trail standards that consider materials, widths, and other details. Define a hierarchy of walkway types and incorporate existing City standards for sidewalks.

## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: GUIDING PRINCIPLES

- K. Reinvigorate the park by adding opportunities for “fun” that are appropriate to the historic nature of the park. Take advantage of natural resources to do so, especially topography—without compromising them.
- L. Consider improved trailheads and/or park gateways.
- M. Provide opportunities for education within the park, such as interpretive elements at strategic locations on a number of topics from history to the natural environment.
- N. Ensure that a majority of the park is universally accessible. While the topography of the site will prevent all amenities from being accessible, it is essential to create opportunities for mobility-impaired visitors to experience the views, to traverse the main walkway along the top of the bank, to access the pavilion and other site amenities, as well as the dog park and community garden.
- O. Rehabilitate the park in a manner that discourages illegal and undesirable activities. Improvements should not only discourage but also help to reduce such activity with amenities such as improved site lighting and by an increased community presence in the park through programming.
- P. Explore opportunities for public-private partnerships insofar as the partnership supports the guiding principles set for in this master plan.



FIGURE 5-1. LANDSCAPE MASTER PLAN: PLANTING ZONES



## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: DESIGN GUIDELINES

### Design guidelines — general

#### Planting zones

In order to reduce maintenance, restore the historic aesthetic to the formal area of the park, and meet the community's desire for sustainable planting areas, it is proposed that planting zones be implemented into Western Promenade.

#### Turf areas with horticultural plantings

For the upper park, turf has been the historical aesthetic and should remain so. The more level landscape is used by visitors to the park for ball play, enjoying views, sunning, sitting on blankets or lawn chairs, picnicking, etc. Considering the City's report that the turf goes dormant by early summer, the blend is likely a Kentucky bluegrass/perennial ryegrass blend which is often utilized for high-use areas. Because of the well-draining sandy soils on site, a turfgrass that is a blend of creeping red fescue, perennial ryegrass, and annual ryegrass will be more durable and drought resistant. A higher content of ryegrass needs less water to stay green in heat. The red fescue is suited to a variety of soil conditions from dry to wet shade.

The horticultural plantings of evergreens, shrubs, and perennial/annuals occurs within the turfgrass areas and are further discussed in the section on the upper park.

#### Turf alternative

In areas that are not as flat and therefore more difficult to maintain and less used by park visitors, a turf alternative, such as a fine fescue/"no mow" mix could be implemented. While still providing a traditional grass-like appearance, the fine fescue blends grow a thicker carpet of grass, which needs to be only mown once or twice a year. It is quick to establish, and requires no water once established. The fescue can handle full sun to partial shade and a moderate amount of foot traffic and compaction. The fine fescues do tend to grow longer (up to 6 inches, if allowed) so more frequent mowing may be desired to keep the grass shorter.

The turf alternative fescue blend is recommended for areas that are within the more formal portion of the park, but are not used as intensively, such as the transition between Maine Medical Center and the park, and unprogrammed areas of the southern park. They may also be used in the transition areas between walkway and slope above the bank.





*(top left) Fine fescue/"no mow" turf alternative*

*(bottom left) 'Gro low' fragrant sumac on slope*

*(right) Example of pollinator meadow; Courtesy of the Portland Pollinator Partnership's Facebook page*

## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: DESIGN GUIDELINES

### Bank transition groundcover

The City arborist reported that the mowing along the brow of the slope is completed with a brush cutter mounted on an excavator. This allows the equipment to reach 8 to 10 feet over the edge of the slope. Along the transition area from formal park with turf to wooded slope, it is recommended that a mix of native groundcover species be planted which keep smaller woody growth in check and hold back the taller vegetation to below the top of bank. Species could include:

- *Juniperus horizontalis*, groundcover junipers
- *Rhus aromatica* 'Gro Low', fragrant sumac
- *Arctostaphylos uva-ursi*, bearberry
- *Comptonia peregrina*, sweetfern
- *Rubus odoratus*, flowering raspberry
- *Xanthorhiza simplicissima*, shrub yellowroot

### Wildlife meadow mix

The extremely steep slopes make portions of the park difficult to maintain. The fact that the slope falls away from the viewshed when at the upper part of Western Promenade makes it a good location for alternative plantings as it does not disrupt the historic aesthetic which was established in the early development of the park.

In collaboration, the City, Maine Audubon, and the Portland Pollinator Partnership has established a pollinator meadow in Western Promenade already in two areas between the existing walkways on the slope. Expanding the pollinator meadow in this area will only further reduce maintenance for the City and provide additional pollinator resources. It is recommended that the pollinator meadow be included on any cleared, sunny slopes that are 3:1 and greater. This includes transitions zones below the top of slope and around the lower park at Valley Street. These areas should be mown once per year.

### Wooded slope with native plants

Any new plantings that are proposed for the wooded slope should be native species. While ornamentals are appropriate for the more formal park areas, the slope should be re-vegetated with species that need little assistance beyond establishment and that will help stabilize the extremely steep bank. Where viewsheds are being cleared, native shrub species will help to keep the invasive growth at bay.





*(top left, right) 1939 World's Fair bench & DERO bike hitch*

*(bottom left) Murdock drinking fountain (bottom center, right) Examples of waste receptacles/recycling bins more aesthetically appropriate for the historic park*

## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: DESIGN GUIDELINES

### **Site amenity standards**

Several standards already exist for site amenities and most have been implemented to some extent at Western Prom. As improvements are made throughout the park, these standards should be realized. It is recommended that all site amenities in the historic park be black.

### **Drinking fountain**

The existing water fountain at Western Promenade is manufactured by Murdock Manufacturing of City of Industry, California. The model is 'Bi-level bowls Classic style Drinking Fountain' with a cast iron pedestal in black and cast brass bowls. The freeze-resistant below ground valve option should be selected.

### **Benches**

The City has selected the 1939 World's Fair bench as fabricated by Kenneth Lynch & Sons of Oxford, CT, for its historical parks. The bench shall be 6 feet in length and is comprised of black powder-coated ductile iron and ipe lumber slats.

The benches are to be placed on a concrete pad that is a minimum of 10 feet 6 inches long by 4 feet wide. This places the bench at one side and accommodates the required 3 feet long by 4 feet (minimum) wide wheelchair companion space adjacent to the bench. It also assures that people

sitting in the bench will have their feet and parcels or bags outside of the path of travel on which the bench is located. ADA Accessibility Guidelines requires that a minimum of 25% of benches have companion spaces, but a higher ratio (2:1) is more inclusive and provides for stroller parking as well.

### **Bike racks**

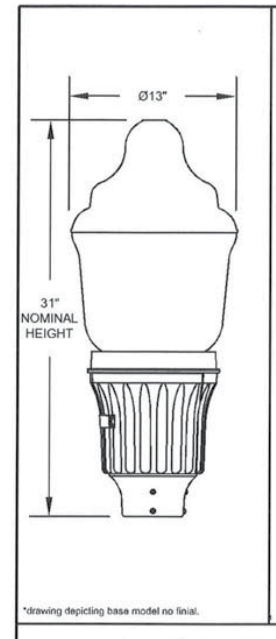
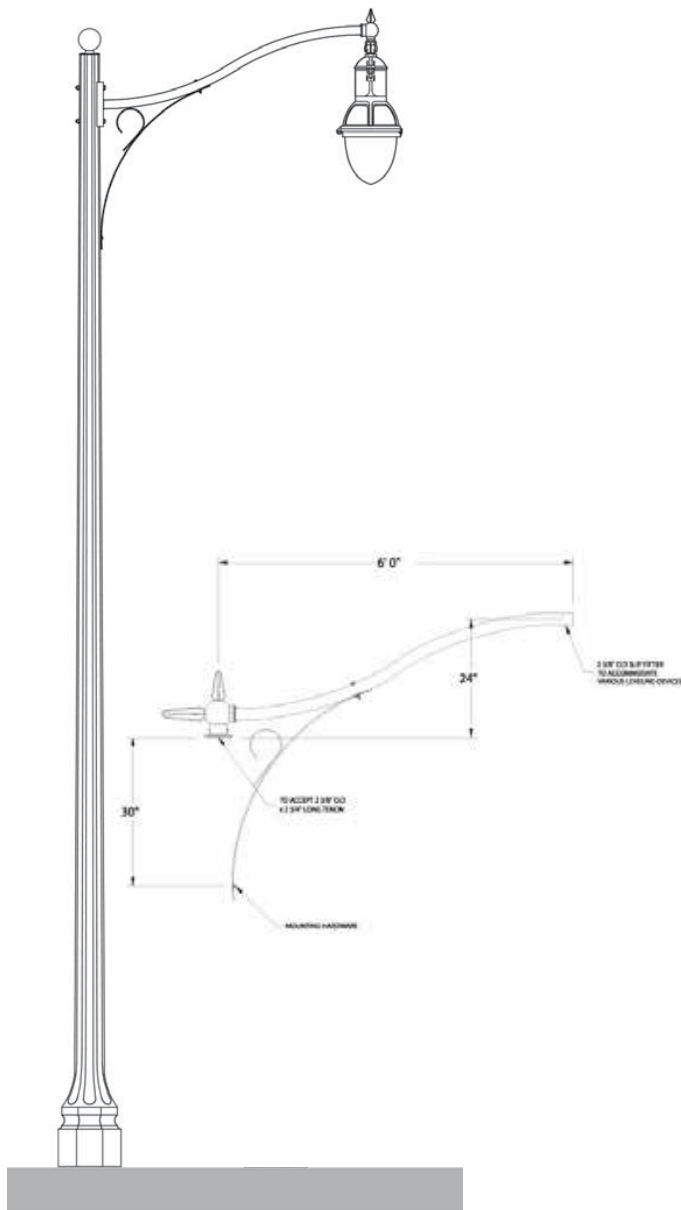
The *City of Portland Technical Standards Manual*, Section I (1.15 - Bicycle parking) lists two options for standard bike racks:

- DERO 'Downtown Rack' Inverted U-Rack
- DERO 'Bike Hitch'

The 'Bike Hitch' has been used at Eastern Promenade and, according to the *Manual*, is the only option permissible for the Old Port Historic District. The 'Bike Hitch' is recommended for use at Western Promenade.

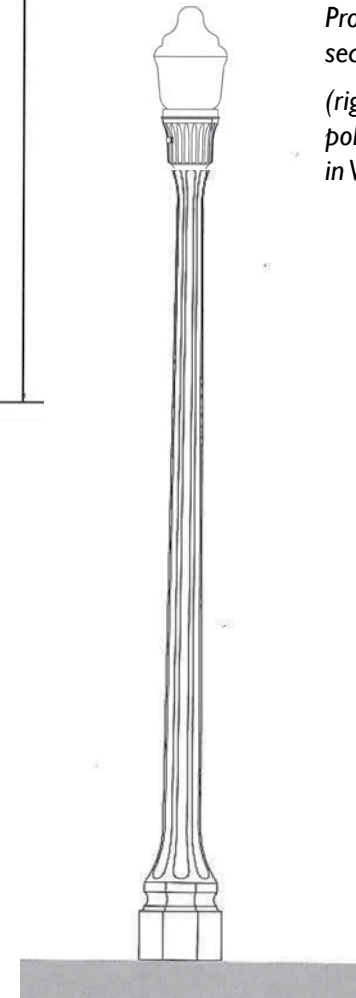
### **Waste receptacles/recycling bins**

The current amenities used in the park are Big Belly solar compactor for waste and a blue vertical steel strap recycling bin with lid. New standards for the City's historical landscapes for these amenities should be considered/developed. Using a bin similar to the recycling bin for both waste and recycling in all black would be more discrete in the historical setting.



*(left) Light fixture and pole with decorative arm specified for the Western Promenade roadway section*

*(right) Light fixture and pole for historic walkways in Western Promenade*





### **Site lighting standards**

In early 2019, the Historic Preservation Board approved the selection of a new site lighting fixture to be used in the City's historic districts which include Baxter Boulevard, the Eastern and Western Promenades, Lincoln Park, and Deering Oaks. The intent was to have a fixture that is sensitive to the historic landscape and similar aesthetically to what had been used historically in these landscapes. The amendment to the City's *Technical Standards Manual*, Section 10 - Municipal Street Lighting Standards (revised March 26, 2019) states the following goals for the new fixture are to:

- “Update the specifications and fixture selection to meet the new LED standards being implemented city-wide
- Provide guidance for the city-wide LED conversion project
- Revise the boundaries for special lighting districts to reflect recent master and comprehensive plans, changes in the built environment, and to correspond to the real-world conditions of the character of the streetscape and neighborhoods
- Consolidate and reduce the number of fixtures installed around the city to alleviate maintenance time and costs as well as bring

consistency to the streetscape

- Provide cost-effective, durable options and substitutions
- Reflect best practices around light pollution and dark sky goals”

Per the *Municipal Street Lighting Standards*, the approved fixture and standards for the **historic Western Promenade roadway** are:

- To be located on the park side of the street only
- Fixture: Holophane Esplanade LED II, Model #ESL2-P20S-30K-AS-CMC-TG3-S-P7-NL2X2-BHDFI3-200CMC, or Spring City Columbia Series, Model #LMCLU-LE080/EVX/X2-30-CR3-GRI4-LACLB-FED-CU, without shield.
- Fixture height: 21 feet (Pole height 20 feet) with bracket arm length of 6 feet and a pole base flare of 18 inches
- Bracket arm: King Luminaire/StressCrete: Scroll arm with decorative scroll, Model #KA30-T
- Pole: King Luminaire/StressCrete: Talisman - Concrete, Model #KTH20
- Spacing: 90 feet to 100 feet (park side only)
- Color: Pole, arm, and fixture shall be black
- Temperature: 3000K

Because of the widening of the roadway at the northern end where the lanes are divided, it may prove necessary to add additional poles on the east (residential) side of the road to adequately illuminate the roadway per the *Municipal Street Lighting Standards*. A photometric plan will clarify the lighting needs in this area.

The approved fixture and standards for the **historic pedestrian walkways** are:

- To be located on one side of the walkway only
- Fixture: GranVille II LED, Model # GVD2-P20-30K-AS-M-BK-5-N-N-U
- No trim or finial; modern housing; prismatic glass
- Fixture height: 14'-6" (Pole height 12 feet) with non-flared top
- Pole: King Luminaire/StressCrete: Talisman - Concrete, Model #KT-12-E-11-DB-140 30/30-A
- Spacing: 60 feet to 80 feet
- Color: Pole and fixture shall be black
- Temperature: 3000K

Given that the traditional fixtures along the switchback walkway are in place, replacement with a more appropriate neutral, pedestrian-scale

fixture should be pursued when the existing fixtures require replacement. Utilizing a different fixture on non-historic walkways is pursuant to the Secretary of the Interior's *Standards for Rehabilitation* Standard #3 as noted at the beginning of Section 4 of this Historic Landscape Master Plan.

During this master planning process, it was determined that lighting for the switchback walkway—a non-historic walkway—will be consistent with the fixture and standards approved for the historic pedestrian walkways identified above.

Site lighting introduced for other modern park spaces, such as the Valley Street dog park and community garden, should be a City-specified pedestrian-scale fixture that is also neutral in design. The approved fixture and standards for the **modern park spaces** are:

- Fixture: Cree RSW series LED Streetlight, Model # RSWS-A-HT-3ME-3L-30K7-UL-GYN-X3, or similar for pedestrian-scale
- Small, horizontal tenon
- Fixture height: approx.. 14'-0" to 16'-0"
- Pole: Hubbell FTA series, Upsweep style
- Color: Pole and fixture shall be gray
- Temperature: 3000K

## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: DESIGN GUIDELINES

In the *City of Portland Technical Standards Manual*, Section 12 - Site Lighting, part 12.2 discusses lighting levels. The City has established a minimum illumination level (measured at grade) at 0.2 foot candles, the maximum at 5.0 foot candles with an average of 1.25 foot candles. No light spill over 0.1 foot candle shall be allowed to cross property lines.

### Electrical

When installing new site lighting, consideration should also be given to where electricity would be useful in the park. Lighting poles can be selected with power boxes so that holiday or special event lighting can be coordinated with site lights. Power should also be considered for areas designated as food truck parking, as well as the pavilion for event amplification and lighting.



(top left & center) Example park identification sign from Lincoln Park and trailhead sign from Eastern Promenade (right) Portland Trails trail naming signage  
(bottom left, right) Sample interpretive signage

## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: DESIGN GUIDELINES

### **Standard signage**

There is a wide variety of signage styles in use at Eastern Promenade, Deering Oaks, and Fort Allen Park. Those used at Eastern Promenade appear the most modern and durable. The signage used there includes a 3-sided kiosk that includes wayfinding, park rules, and some interpretive information. This style can be made accessible if placed on concrete pad adjacent to an accessible route. This is an appropriate signage standard for trailheads and gateways. It is recommended that the 3-sided kiosk be used at non-historic gateways to provide necessary information. For trailheads, a singular panel of the same style can be used to provide wayfinding and park rules information.

The city has new signage standards for Regulatory and Welcome signs for historic parks. They have been designed with a clean and simple aesthetic appropriate for the historic landscapes. The specifications for these signs have been included in the Appendix.

For informational/interpretive signage, a standard fixture should be selected in 2 or 3 sizes so that panels can be sized appropriate to the location and content. Sign bases, such as the 'Low Profile Exhibit Base' as manufactured by Pannier Graphics of Gibsonia, Pennsylvania meets ADA Accessibility Guidelines if located on an accessible route. The

base has a variety of mounting options, but all provide a 'full capture' frame for the signage panel which presents a clean aesthetic and a secure (tamper-proof) connection, and the frame allows for easy updates of the graphic panel.

For trail markers, the Portland Trails logo and name is used throughout the City and therefore easily recognizable. It is recommended that it continues to be used and that the organization be involved in assisting in developing, building, and maintaining additional trails segments in the park.

Regulatory and traffic signs should be consolidated and limited in quantity so as not to disrupt the historic character of the park.



FIGURE 5-2. LANDSCAPE MASTER PLAN: WALKWAYS, SIDEWALKS & TRAILS



## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: DESIGN GUIDELINES

### **Walkway & sidewalk standards**

#### Historic walkways

Historic walkway alignments should be finished with an exposed aggregate concrete pavement. This reflects the historic “artificial stone” walks implemented during the Period of Significance. Concrete pads for site benches adjacent to historic walkways should be treated and finished in the same manner.

The Lincoln Park walkway reconstruction project (completed in 2017) was a successful example of a recent implementation of exposed aggregate for historic walkways. These walkways have the following characteristics which should be replicated for historic walkways at Western Promenade:

- A light sandblast finish on the surface of the concrete created by applying a surface retardant (Top-Cast Surface Retarder #309056, Item #05 by Dayton Superior, or equivalent)
- A color additive for concrete (“Pebble” #641 by Davis Colors of similar tone/hue, as approved by the City); may include carbon black
- An anti-spalling concrete finish to protect from moisture and de-icing chemicals shall be applied after curing

Sample specifications for historic walkway exposed aggregate concrete pavement have been included in this report at Appendix C.

Walkway widths should also be standardized. The main walkway varies from 84 inches to 96 inches. Paving this at a consistent 8 feet ensures that there is ample room for pedestrians, joggers, and dog walkers on the path, and it also ensures that it is wide enough for snow removal equipment.

Secondary historic walkways, should have a reduced width of no less than 5 feet to meet ADA Accessibility Guidelines.

#### Non-historic walkways

Non-historic walkways that are not accessible—with slopes 5.0% and greater—should be paved in a different material for clarity. For the most part, these are the walkways that transition down the slope. These walkways should be no less than 5 feet wide; wider if necessary for snow removal equipment.

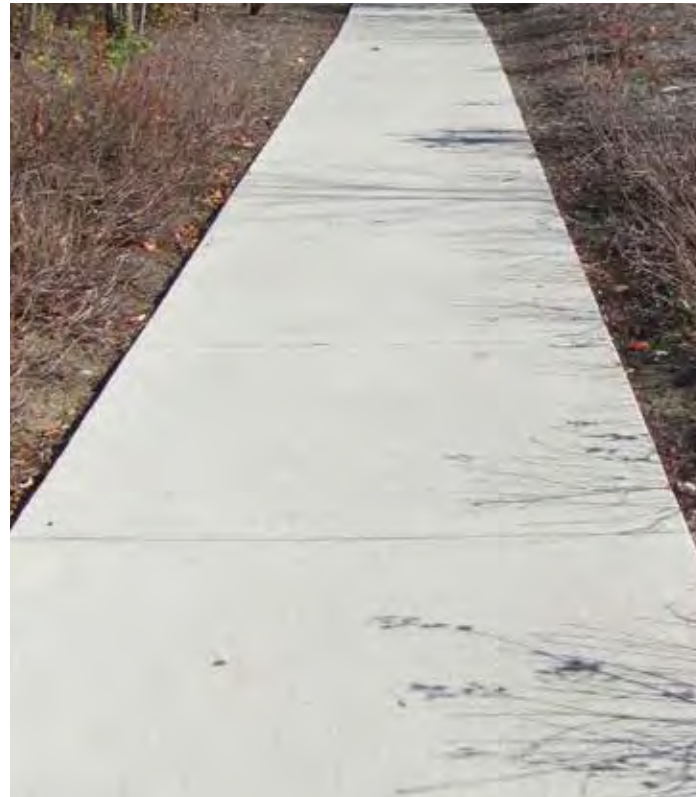
New walkways in the upper park should be paved in a typical concrete pavement. This will distinguish them from the historic walkways in exposed aggregate and the historic sidewalks in brick. Concrete meets ADA Accessibility Guidelines as long as the longitudinal slopes are under 1:20 and 5 feet wide. (No new walkway segments are proposed in the upper park in this master plan.)





*(top left & right) Exposed aggregate concrete pavement example from Portland's Lincoln Park after a recent rehabilitation*

*(bottom) Typical concrete pavement finish*



## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: DESIGN GUIDELINES

### Historic sidewalks

To be clear, in this Landscape Master Plan, a sidewalk refers to a paved pathway which is located at the side of a roadway. Sidewalks typically parallel the roadway both in horizontal layout (plan view) and vertical grade changes.

The City's *Technical Standards Manual*, Section I - Transportation Systems & Street Design states that sidewalks shall be brick in the City's historic districts. The *Manual* also states that sidewalks shall also be a minimum of 5 feet wide and/or have a minimum clear width of 5 feet.

It is appropriate that the sidewalk extension proposed to be implemented along the Western Promenade roadway at Western Cemetery would consist of brick to reflect the other sidewalks in the historic district. The 2016 *Sidewalk & Driveway Apron Material Policy* map supports this recommendation.

### Non-historic sidewalks

The existing walks along Valley Street are a mix of concrete and bituminous concrete. The sidewalk proposed to connect existing segments along Valley Street and the improvements of Danforth Street are recommended to be constructed of reinforced concrete pavement for durability. The 2016 *Sidewalk & Driveway Apron Material Policy* map supports this recommendation. Where possible, an esplanade

should be incorporated between the road curb and the sidewalk. Per the *Technical Standards Manual*, Valley Street is a minor arterial road. The standard cross-section for an arterial road should include an 8-foot esplanade and a 5-foot sidewalk.

New sidewalks—proposed along the Western Promenade roadway from Bramhall Street to Pine Street and for a short segment at Bowdoin Street—are also proposed to be constructed of reinforced concrete pavement. This distinguishes between the historic sidewalks and the new sidewalks, just as is proposed for the historic versus non-historic walkways in the park.



*Sample trail surfaces: (top left) stone dust trail, (top right) stabilized stone dust trail, (bottom left) mown turf/grasses trail & (bottom right) earthen trail*



## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: DESIGN GUIDELINES

### **Trail standards**

Pedestrians have access to a wide array of trail types of varying levels of difficulty. Trail surfaces from concrete and asphalt to bare earth or turf are all acceptable, though not all accessible. Pedestrians may be walking or hiking—which presumes a greater level of effort and/or longer distance. Their pace may be dictated by their level of interest in the surrounding landscape and its resources, as well as personal ability.

The absolute minimum for a one-way trail pedestrian only trail is 18 inches wide for a foot trail, while a two-way trail would be 2 feet wide, with the ideal at 3 to 4 feet wide. Shoulders and a clear width of 12 to 18 inches minimum on either side should be added where possible to protect resources.

An ideal trail gradient is less than 1:20, but segments with steeper gradients add interest and difficulty. (Unless it is following the existing topography adjacent to a roadway, trails at gradients steeper than 1:20 do not meet ADA Accessibility Guidelines.) Cross-slopes of easy trails should be 1:50 typical while difficult trail segments should follow existing topography as much as possible to protect resource and limit re-grading. The trails at Western Promenade—due to the landscape’s natural topography—will not meet ADA Accessibility

Guidelines which are the same as for any walkway. Some visitors with mobility impairments will be able to use the trails at Western Promenade, but to what extent will vary greatly based on the individual user.

Creating points for rest, interpretation, and the enjoying of views is desirable but care should be taken with quantity, pavement type, and character to be consistent within the park.

Surfaces for walking and hiking trails can be comprised of a variety of materials, including but not limited to: earth, mown turf, stone dust/crusher fines, compacted aggregates, asphalt, or concrete. Typically, more natural surfaces provide some added degree of difficulty to the trail over a paved surface. On forested trails, it is best to clear the path of fallen leaves and forest duff for safety, though regular use of the trail by hikers will do this inherently.

A discussion of typical trail surfaces follows:

#### Stonedust trails

- Stonedust paths require maintenance to meet and maintain accessibility standards of a “firm and stable” surface
- Stonedust surface is installed over sub-base of compacted gravel
- Should be avoided for trails/walkways with long pitches of 3.0% or greater

#### Stabilized stonedust trails

- Same installation and cross-section as stonedust pathways but mixed with organic stabilizer
- More durable material on relatively flat surfaces than untreated stonedust
- Should be avoided for trails/walkways with long pitches of 6.0% or greater

#### Mown turf trails

- Allows for varying of trail alignment, season to season
- Does not meet requirements for an accessible trail surface
- Minimal maintenance required

#### Earth trails

- Trail surface is cleared of any organic material (leaves, needles, roots, bark, etc.), as well as any organic soil so that a more stable mineral soil surface is exposed
- Allows for a drier, less slippery surface
- Commonly used in woodlands areas where paving would be too intrusive and construction is difficult and expensive
- Does not meet requirements for an accessible trail surface
- May have exposed tree roots and seasonal wetness in soils
- Minimal maintenance required

#### Bike trails

The current rule for bicycles in the park is that bicycles are allowed to be ridden on trails and along the Western Promenade roadway, not on the park’s walkways. This supports the concept that bike parking should be provided at trailheads and key park entry points and that rules signage should include this clarification.

The community expressed a desire for biking trails through the wooded areas. Mountain bike trails are more damaging to natural surface trails and

## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: DESIGN GUIDELINES

therefore require more maintenance so as to not become damaging to the natural resources. They should be fairly limited at Western Promenade due to the steepness of slopes and the potential for erosion. There is a potential on wooded slopes for additional bike trails to be added in areas, so long as there are no impacts to historic or existing uses.

The United State Forest Service (USFS) has Trail Design Parameters which have been developed for a number of trail use types. (These have been included in Appendix A.) For mountain bike trails, the USFS has 5 classes of trails; for Western Promenade, a class 3 trail (developed in natural environs, primarily unmodified) is be most appropriate.

Class 3 is defined with the following characteristics:

- Tread is continuous and obvious
- Single lane, with allowances constructed for passing
- Native or imported materials
- Route markers as needed for user reassurance

For a class 3 bike trail USFS recommends the following standards:

- Single lane trail: 18" to 36" wide
- Double lane trail: 36" to 48" wide

- Surface: native material with some on-site borrow or imported material where needed for stabilization, occasional grading
- Trail gradient: 3% to 10% (15% maximum for short runs)
- Trail cross-slope: 3% to 8% (8% maximum)
- Clearing: 8 feet high; 36" to 48" wide, plus 6" to 12" shoulders
- Radial turns: 4-foot to 8-foot radius

### Snowshoe trails

USFS recommendations for class 3 snowshoe trail include:

- Single lane trail: 3 feet to 4 feet wide
- Double lane trail: 6 feet wide
- Surface: No protrusions; should receive occasional machine grooming for snow compaction
- Trail gradient: 5% to 15% (20% maximum for short runs)
- Trail cross-slope: 0% to 5% (15% maximum)
- Clearing: 8 feet high; 6 feet wide, plus 12" shoulders
- Radial turns: 3-foot to 6-foot radius

Since **the trails at Western Prom** are intended to be multi-use they should be widened to comfortably accommodate the intended user groups. The American Association of State Highway and Transportation Officials' (AASHTO) design guidelines recommend a minimum of 10 feet for multi-use trails, or 12 to 14 feet for heavily used trails. Therefore, a trail width of 10 feet wide would be appropriate especially as they are located in a densely wooded area. Based on the AASHTO and USFS recommendations, the multi-use trails should have a minimum 3-foot clearing on either side of the trails and a clearance height of 8 feet. (This includes vegetation, signage, etc.)

- Clearing: 8 feet high; 6 feet wide, plus 0" to 12" shoulders
- Radial turns: 15-foot to 20-foot radius

#### Cross-country ski trails

Also, desired by the community were cross-country trails. The USFS has recommendations for cross-country ski trails. These include (for a class 3 trail):

- Single lane trail: 6 feet to 8 feet wide
- Double lane trail: 8 feet to 10 feet wide
- Surface: No protrusions; should receive occasional machine grooming for snow compaction
- Trail gradient: 2% to 10% (20% maximum for short runs)
- Trail cross-slope: 0% to 5% (15% maximum)



## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: DESIGN GUIDELINES

### **Park connectivity**

Connectivity between parks was a major goal of Mayor Baxter when he hired the Olmsted Brothers to expand the park system in 1904. In the 2001 *Green Space/Blue Edges: An Open Space & Recreation Plan for the City*, the goal of linking open spaces and pedestrian circulation is called for by “[extending or upgrading] sidewalks and trails as needed to address gaps in the neighborhood walkway system (including safe pedestrian crossings across busy streets) especially along streets/connections linking residential areas to schools and parks. Pedestrian linkages should be as direct and convenient as possible.”

### **Regional bike routes & trail network**

The 2014 *Bikeway & Pedestrian Network* map identifies City streets as bike and trail routes which currently have, or have the potential to have, bike and trail routes. Developing these routes ensures access of Portland’s residents and visitors to Western Promenade and decreases the reliance on auto-based transportation. Those roads identified which connect to Western Promenade include:

- Fore River Parkway & Fore River Parkway trail: Shared-use pathway (existing)
- The Western Promenade roadway, Vaughan Street, Bramhall Street & Pine Street: neighborhood bikeway (planned)

- St. John Street, Danforth Street & West Commercial Street (eastbound): on-road bikeway (planned)
- West Commercial Street (westbound): Shared-use pathway (planned)

### **Loop trails**

Loop trails are an essential part of any trail system. They allow visitors the opportunity to cover more ground, have a greater diversity of experience while hiking, and keep visitors engaged so that they want to return.

The existing trails at Western Prom are linear. The slopes are preventative to establishing connections in some locations, but the topography and slope analysis of Section 3 shows us where they can be created without drastic re-grading. They are defined in each park area as proposed in this landscape master plan.

## **Trailheads & gateways**

### **Access**

This master plan proposes several new connection points to the park. Connections in and out of Western Promenade should be obvious, safe, and easy to get to.

Gateways are considered connection points where visitors come in or out of the park boundaries. They should always be safely connected to a vehicle or bicycle parking area, or a designated crosswalk or sidewalk. Gateways are located around the park, but mainly where the more programmed spaces are located. Gateways should always be universally accessible. (It is worth noting that while all gateways and their site amenities should be made accessible, the associated park entry itself may not be accessible—i.e. the historic Valley Street gateway at the northern end of the park. This makes it more important that if the park entry itself is not accessible, the gateway can provide information to the visitor on where to find another accessible park entry and/or accessible site amenities.) The most significant existing gateway stretches along the horseshoe at Western Promenade and at Valley Street.

Trailheads are location points where visitors are entering the park landscape, as part of the trail

network. These may not always be near activity centers, and depending on the trail conditions, they may not always be accessible, though every effort should be made to make them as accessible as feasible without impacting historical or natural resources.

Design standards for these trailheads or gateways include:

- Park identification signage and rules should always be located at or near gateways. This should be the predominant signage.
- Gateways should include bike parking or identify where bike parking is located.
- Trailheads should always have direct access to a sidewalk or parking area.
- At trailheads, a trail map should always be included so that the network is easily understood and connection routes can be identified. Park identification and rules—as they pertain to hiking and/or biking—are essential here too, but wayfinding should be the priority, especially when walking into a wooded area.
- Trailheads should identify which uses are allowed, i.e. hikers, bikers, etc. They should also identify what segments of the trail meet ADA Accessibility Guidelines and which trails are family-friendly (that is, stroller accessible).

## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: DESIGN GUIDELINES

- Trailhead signage should also provide visitors with information about the trails themselves. Visitors want to know which trail is most appropriate for time they have available, the people in their group, and the type of hike that best suits their needs or desires.

New guidelines for federal trail systems state that the informational sign must include the following:

- Length of the trail or trail segment
- Type of trail surface
- Typical and minimum trail tread width
- Typical and maximum trail grade
- Typical and maximum trail cross slope
- The Appalachian Mountain Club recommends that trailhead signage be located 50 feet into the trail or at least out of sight of roads to reduce the potential for vandalism.
- Seating and waste/recycling receptacles are often located at both gateways and trailheads. Seating will provide a point to wait for others, to prepare (shoe and gear adjustment), and to rest. Locating trash and recycling bins consistently near the entrance makes them easy to be found and used by the public, and therefore encourages waste removal, while also making it easier for the bins to be

emptied by custodial staff. Keeping bins to the extremities of parks also means that park vehicles do not need to be in the park or in trails, creating a safer scenario for everyone, while also reducing damage to park resources.

### Bike parking

Trailheads and park entrances should include bike parking. Bike parking should be accompanied by rules signage would state that bikes are only allowed in select areas of the park (i.e. trails). The bike parking reinforces these rules and gives visitors who arrive on bike a secure place to store the bike while using amenities and areas of the park where bicycles are not allowed.

The City's *Technical Standards Manual* and the State's *Bicycle Facility Design Guide of the District of Department of Transportation* (2006) establish bicycle parking standards, which include the following:

- Provide durable racks that allow a bike to be secured upright.
- Racks must be installed on a hard surface.
- Separate the bike racks from vehicular travel with a curb, wheel stop, or similar.
- Spacing of bike racks shall be as set forth in the *Bicycle Facility Design Guide*

### **Adding “fun” & recreational opportunities**

Western Promenade is a passive recreation park that has not historically accommodated active recreation, nor does the landscape and its topography provide for fields sports. However, low-impact activities such as cross-country skiing, glade skiing, trail running, and mountain biking are suitable in the landscape and have some historical relevance.

An article from the *Portland Evening Express* in 1934 entitled “Do you Remember?” recalls “The road by the Promenade was a popular spot for cyclists on warm summer evenings, while in winter it formed a famous speedway for the fast horses of the City hitched to dashing sleighs. Usually there was snow enough to make good going, while the final touch of slippery smoothness was added by flooding the snow track with water from Engine Three—a ceremony still recalled with pleasure by those who used to witness it as small boys.” Fun, and certain active recreation does indeed have a place at Western Promenade. These activities are further explored within distinct park areas.

While Western Promenade is appreciated for its views, its pastoral quality, and options for walking, it is viewed by the community as lacking in personality. The City wants to infuse fun into all of the parks, as appropriate to their nature, and—as part of this master plan—to reactivate Western Promenade

for the 21<sup>st</sup> century. A series of amenities and programming opportunities are discussed in each park area section of Western Promenade, these include:

- Reintroducing the summer concert series: The community showed great support for the concert series and suggested adding plays, puppet shows, and other activities that bring the community together in the park. The reconstruction of a pavilion in its historic location will support the park’s ability to host such events. The pavilion is further discussed in the upper park section.
- The food trucks were also mentioned as being popular to grab a quick meal for lunches and evening dinners for an impromptu picnic in the park. Establishing a more regulated food truck space is discussed further in the discussion on the Western Promenade roadway and in the lower park.
- Providing a play space was also well-supported in the public process. Given the intended formal design character of the upper portion of Western Promenade, the play feature should be avoided in this space, but may be accommodated in other, less historically sensitive areas. Establishing at least one play experience within the park, if not more than one, fills a void in the immediate area. This is

## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: DESIGN GUIDELINES

discussed more in the section on the southern park, as well as the lower park.

- Play for older children and adults is also important. The current half-court basketball court is in extremely poor condition. Redeveloping the half-court is discussed in the lower park section.
- Western Promenade has a history of winter sports, including sleigh riding, tobogganing, and skiing. All of these winter activities require snow more than any other amenity or park development and could be readily accommodated within the park. Tobogganing, cross-country skiing, snowshoeing, and glade skiing are discussed in the section on the slope.
- For some, education is fun. Opportunities for interpretation on the, history of the site and the City, on plantings, and on the viewsheds are all incorporated into the master plan and throughout the park landscape.

FIGURE 5-3. LANDSCAPE MASTER PLAN: ENLARGEMENT OF WESTERN PROMENADE ROADWAY



**LEGEND**

- |                                      |                                   |
|--------------------------------------|-----------------------------------|
| <b>A</b> PARK GATEWAY/TRAILHEAD      | <b>D</b> HISTORICAL TREE PLANTING |
| <b>B</b> NEW CROSSWALK               | <b>E</b> NARROW ROAD BED WIDTH    |
| <b>C</b> PROPOSED FOOD TRUCK PARKING | <b>F</b> NEW SIDEWALK             |

### Design guidelines — Western Promenade roadway

- a. Consider narrowing the roadway to reflect a historic width. Reducing pavement also allows for better stormwater infiltration and acts as traffic calming by reducing vehicle speeds.
- b. Consider alternatives for the space recovered from the reduced roadbeds (sidewalk, on-street parking, additional greenspace, planting, etc.)
- c. Restore the planting design in the esplanade with consistent rows of sugar maples and American elms from Bramhall Street to Vaughan Street.
- d. Reintroduce tree planting lining roadway
- e. Maintain and reintroduce cobble curbs along parking drive. Restore those extant in the horseshoe area.
- f. Consider an expanded food truck area near Maine Medical Center.



Future alterations of the Western Promenade roadway should be reviewed for their appropriateness and sensitivity to the historic layout.

Plans prepared for the City entitled “Streetscape Studies - Conceptual Master Plan,” dated April 15, 2019, and prepared by Vanasse Hangen Brustlin, Inc. of South Portland should be carefully considered in this context before they are finalized. Sheet CSP-1 of the plan set proposes changes to streets in the region of Western Promenade park and Maine Medical Center. Of particular interest, is the removal of the triangular traffic island at the head of West Street on the Western Promenade roadway. The changes are described as:

“Bramhall & West Street Intersection  
Improvements:

- Convert Bramhall Street to two-way traffic
- Potential to reconfigure curb radii to remove ‘hot’ turning movements to provide reduces pedestrian crossing distances and slow traffic at intersection
- Add sidewalk adjacent to on-street parking (east side)
- Add street trees”

The City’s tax maps (sheet #E8SW) and on-line parcel viewer identify this intersection as that of the Western Promenade roadway and West Street, not Bramhall Street. (The terminus of the Western Promenade roadway occurs where the road bends on an angle to the northeast closer to Maine Medical Center.) As such, the intersection should be restored to its historic layout and not further altered unless in the case of public safety. The triangle located in the roadway at the intersection dates to 1882 as noted in the development timeline in this report, when it was laid out, seeded with turf, and planted with trees.

### **Roadway layout & width**

The City's *Technical Standards Manual*, Section I - Transportation Systems & Street Design categorizes the Western Promenade roadway as a local road (Figure I-26: Federal Street Classification). According to the *Manual* local streets require only two 14-foot wide lanes, with a 6-foot esplanade and a 5-foot sidewalk on either side. (Figure I-1: Local Street Cross Section). The *Manual* does not give standards for the width of a one-way road, but 10 to 12 feet is typical. The *Manual* also does not provide standard for on-street parking, but 9 feet by 20 feet is a typical parking dimension.

Current planning strategies and complete street planning for creating walkable cities recommend reducing lane widths down to 10 feet in two-way roads. This helps reduce traffic speeds, the potential for accidents, and the required crossing distances for pedestrians, as well as the damage caused by accidents. The National Association of City Transportation Officials' *Urban Street Design Guide* states:

- “Undifferentiated street space and wide travel lanes can result in higher speeds and are an ineffective use of valuable street space.”
- “Analyze existing traffic volumes to determine whether or not peak-hour lanes can be

removed and converted to on-street parking, bus or bike lanes, or additional sidewalk space. Converting underutilized travel lanes to other uses can eliminate potential conflicts within the roadway and improve traffic operations.”

- “Lanes greater than 11 feet should not be used as they may cause unintended speeding and assume valuable right of way at the expense of other modes.”
- “Lane widths of 10 feet are appropriate in urban areas and have a positive impact on a street's safety without impacting traffic operations.”
- “Parking lane widths of 7 to 9 feet are generally recommended. Cities are encouraged to demarcate the parking lane to indicate to drivers how close they are to parked cars.”

Narrowing the majority of two-way segments of the Western Promenade roadway to 10-foot drive lanes provides opportunity for a number of measures, including: sidewalk, esplanade, and on-street parking.

Sidewalks adjacent to the Western Promenade roadway are recommended where parking is designated to support the park:

- Bramhall Street at food truck parking/pull-off: 14-foot wide sidewalk (see Section A-A<sup>1</sup>)

- Just north of West Street: 5-foot wide sidewalk (see Section B-B')
- Along the horseshoe parking: 10-foot sidewalk (see Section C-C')
- No sidewalk from Pine Street to Danforth Street, on the park side of the roadway (see Sections D-D', E-E', F-F', and G-G')
- On the east side of Western Promenade roadway from Bowdoin Street to Danforth Street: 6-foot esplanade and 5-foot sidewalk (see Section G-G')

With the proposed widening and improved crosswalks, it may be considered to add seating to the large esplanade between West and Pine Streets, or to designate this as a dog-walking area to help curb the waste issue that was noted during the public engagement process.

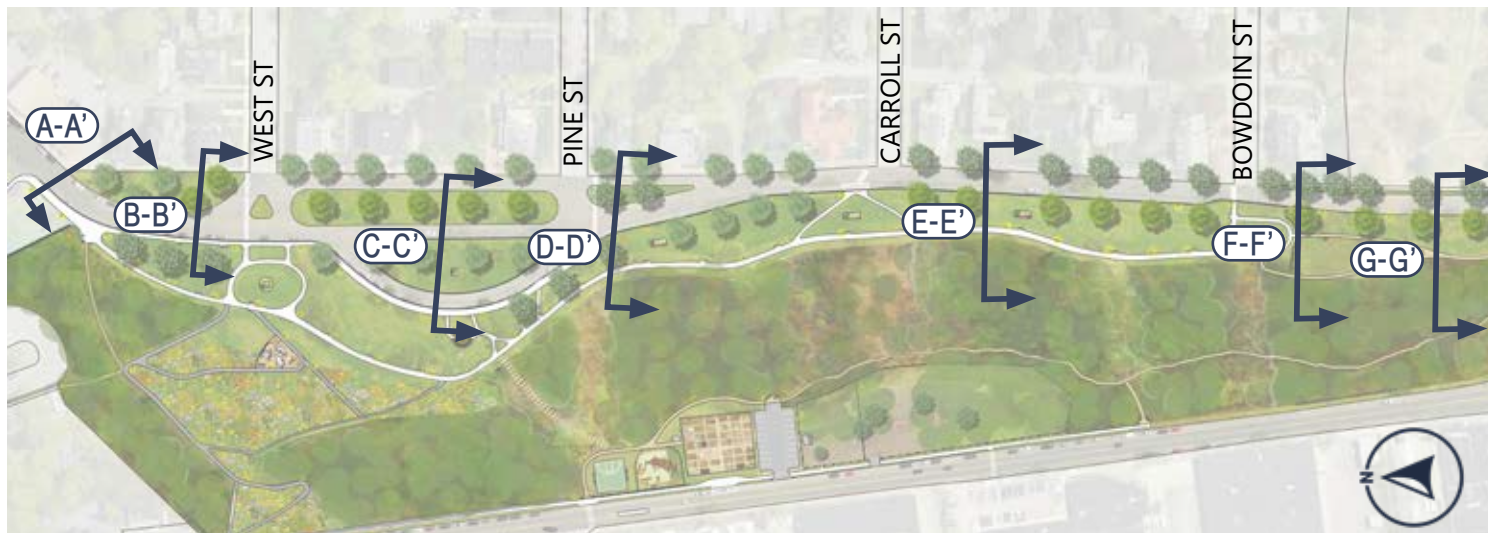
The historical cobble edging should be restored to the full length of the Western Promenade roadway.

Proposed sections along Western Promenade, as examples, are on the following pages. The diagram below depicts where the sections are located along the roadway. The sections include recommended widths for the road bed, sidewalks/walkways, and esplanades.

## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: WESTERN PROM ROADWAY



*Plan showing section cut line locations on 2019 existing conditions*



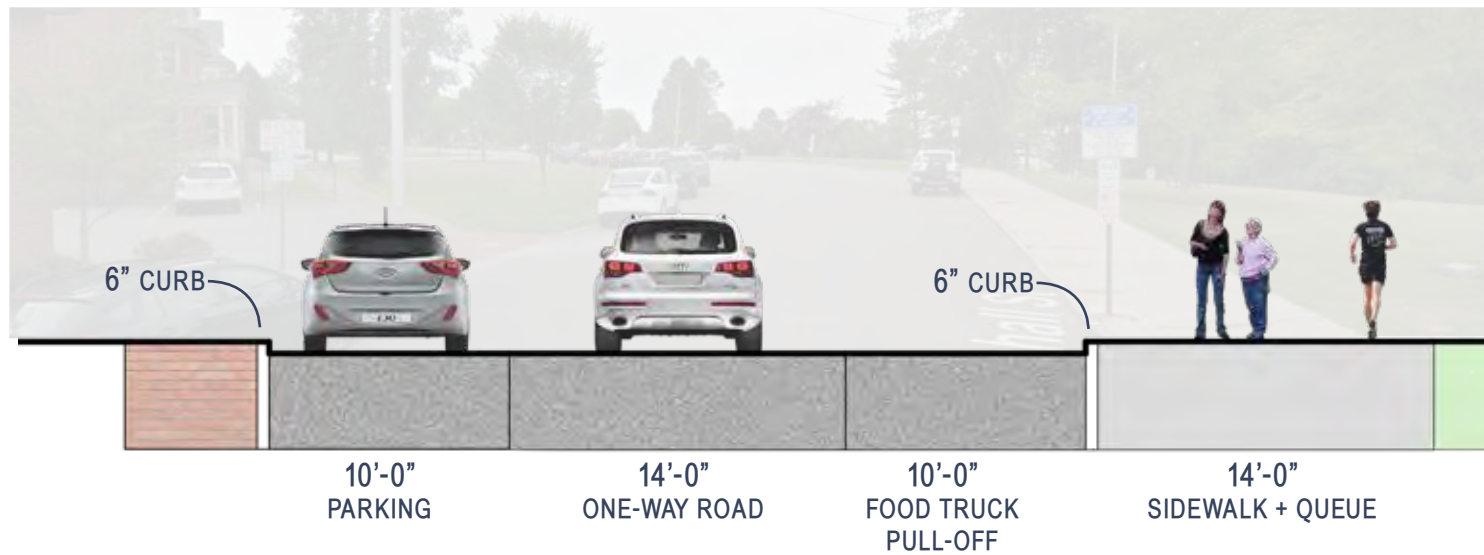
*Plan showing section cut line locations on the landscape master plan*



SECTION A-A': EXISTING CONDITIONS

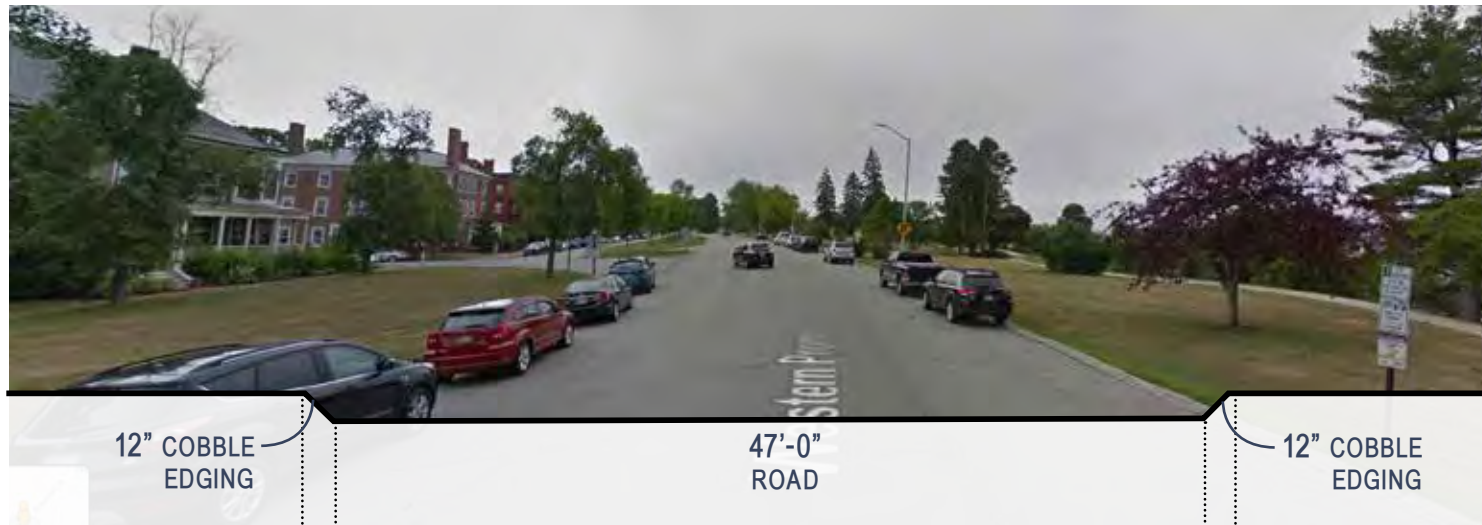


SECTION A-A': PROPOSED CONDITIONS

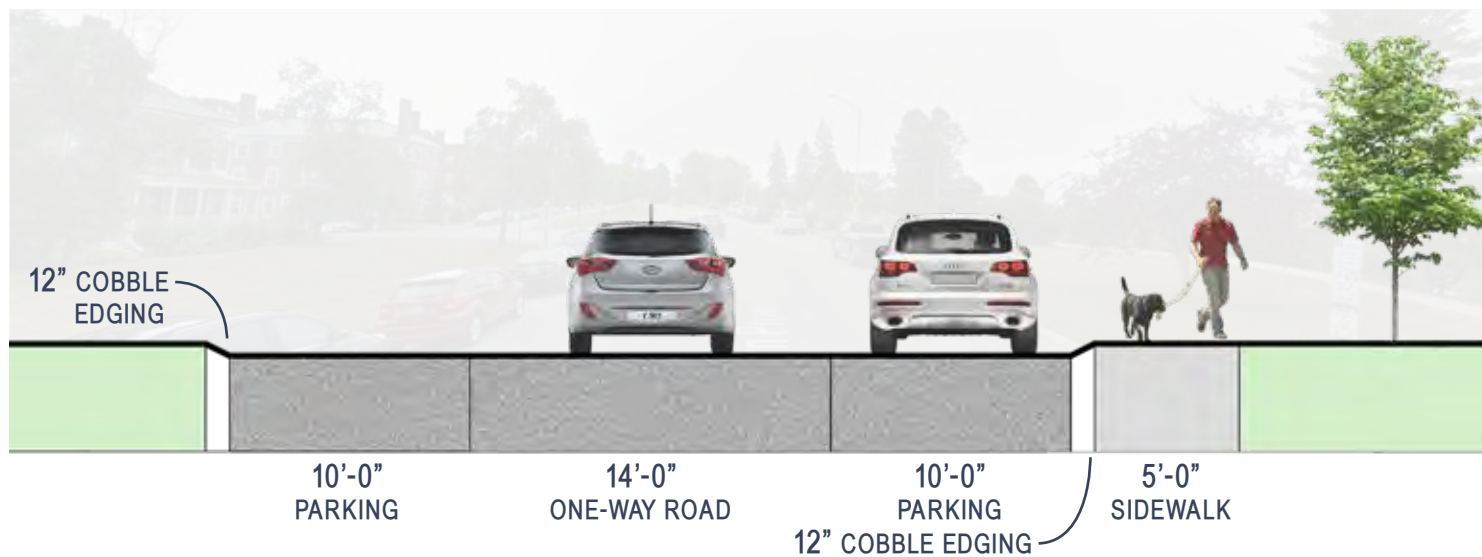


## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: WESTERN PROM ROADWAY

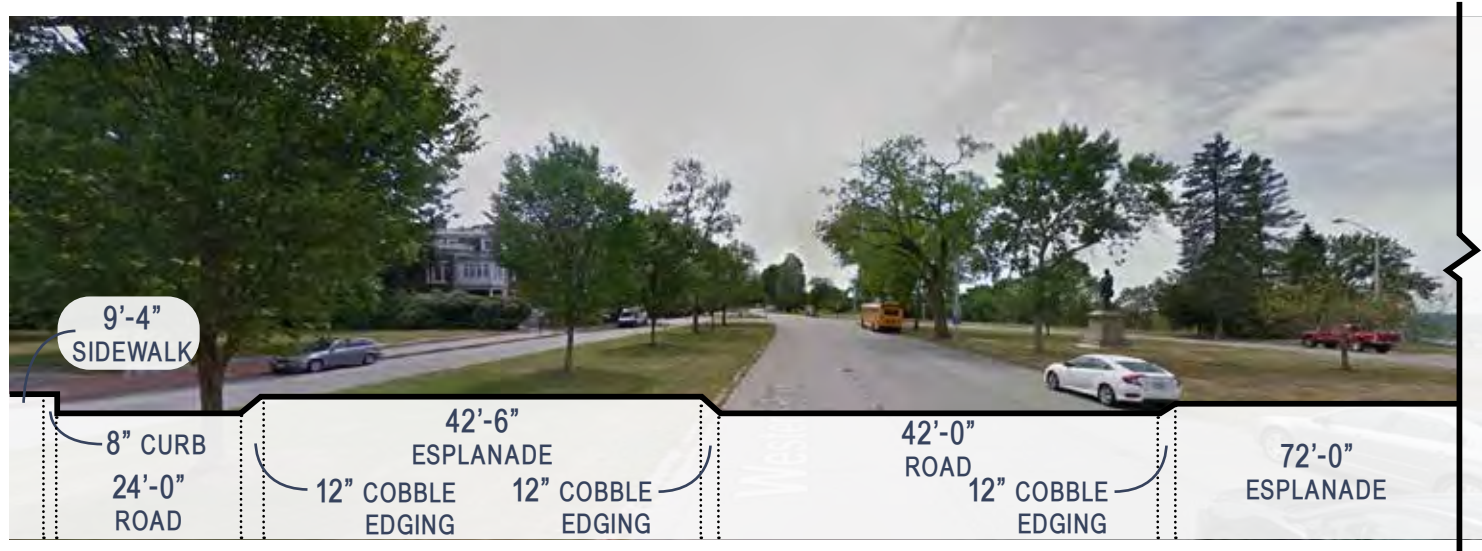
SECTION B-B': EXISTING CONDITIONS



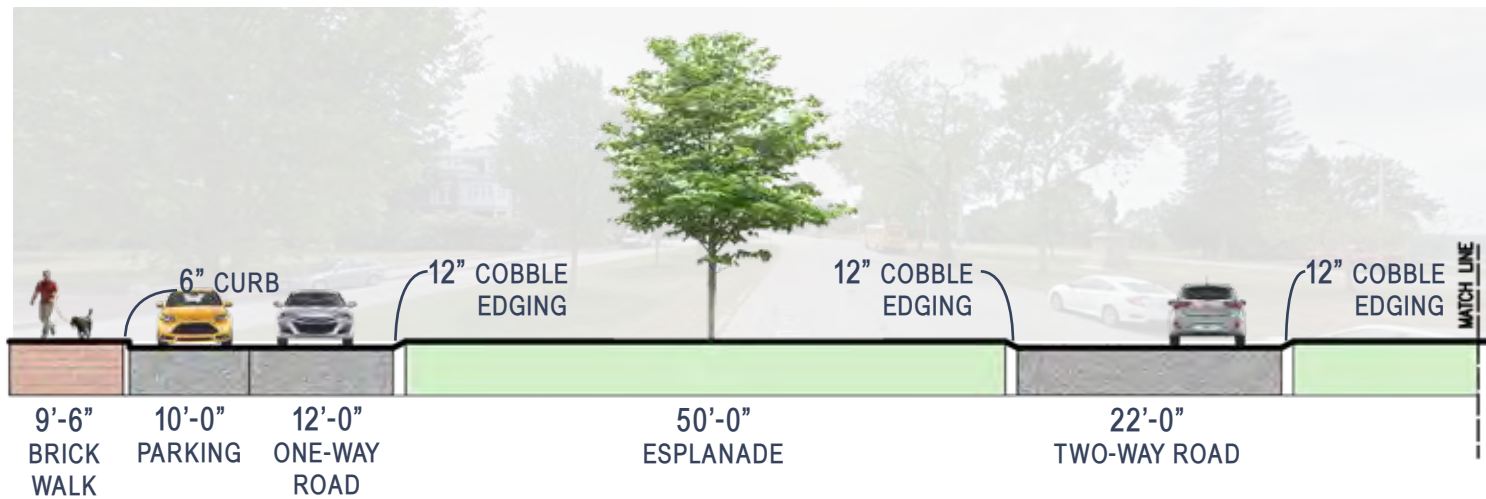
SECTION B-B': PROPOSED CONDITIONS



SECTION C-C': EXISTING CONDITIONS



SECTION C-C': PROPOSED CONDITIONS



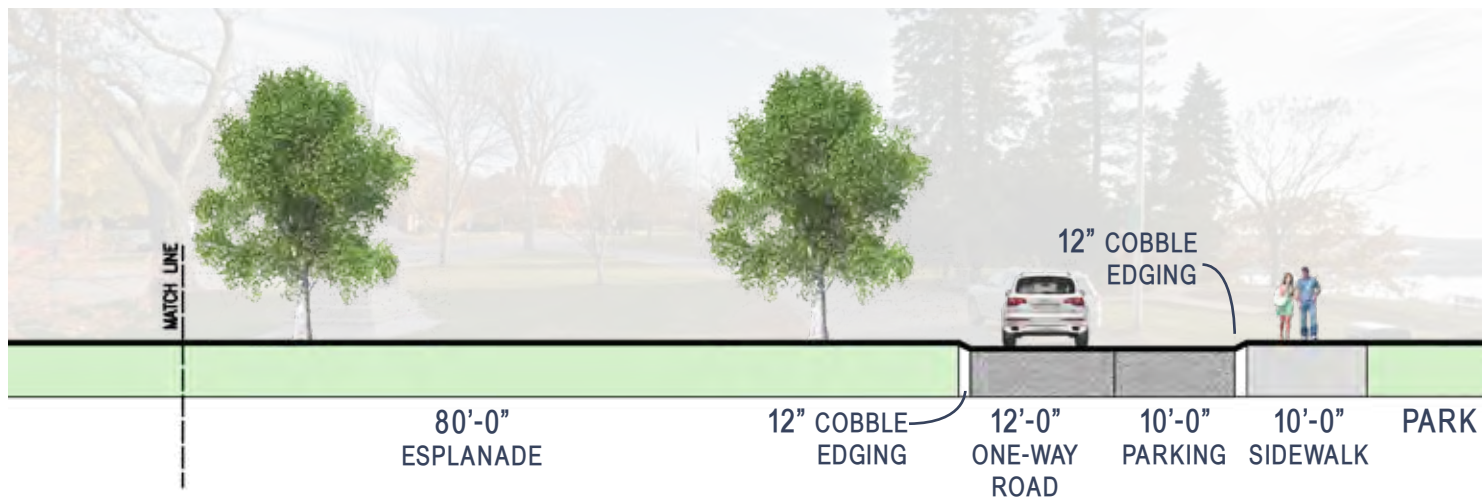


## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: WESTERN PROM ROADWAY

SECTION C-C': EXISTING CONDITIONS (CONTINUED)



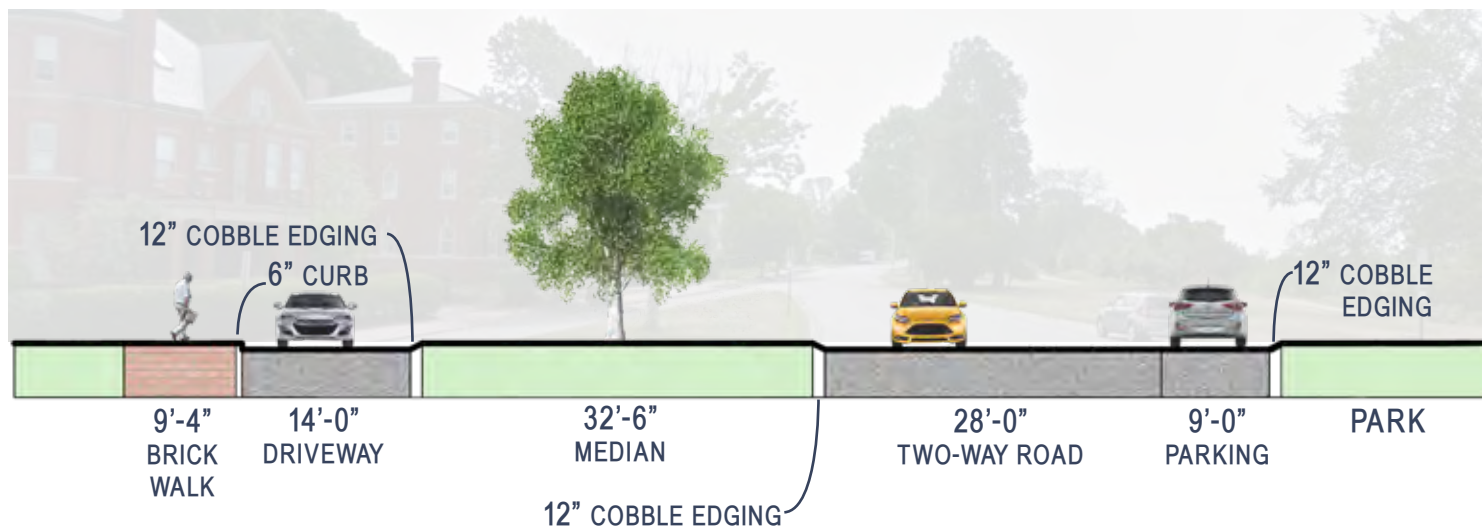
SECTION C-C': PROPOSED CONDITIONS (CONTINUED)



SECTION D-D': EXISTING CONDITIONS



SECTION D-D': PROPOSED CONDITIONS



## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: WESTERN PROM ROADWAY

SECTION E-E': EXISTING CONDITIONS



SECTION E-E': PROPOSED CONDITIONS

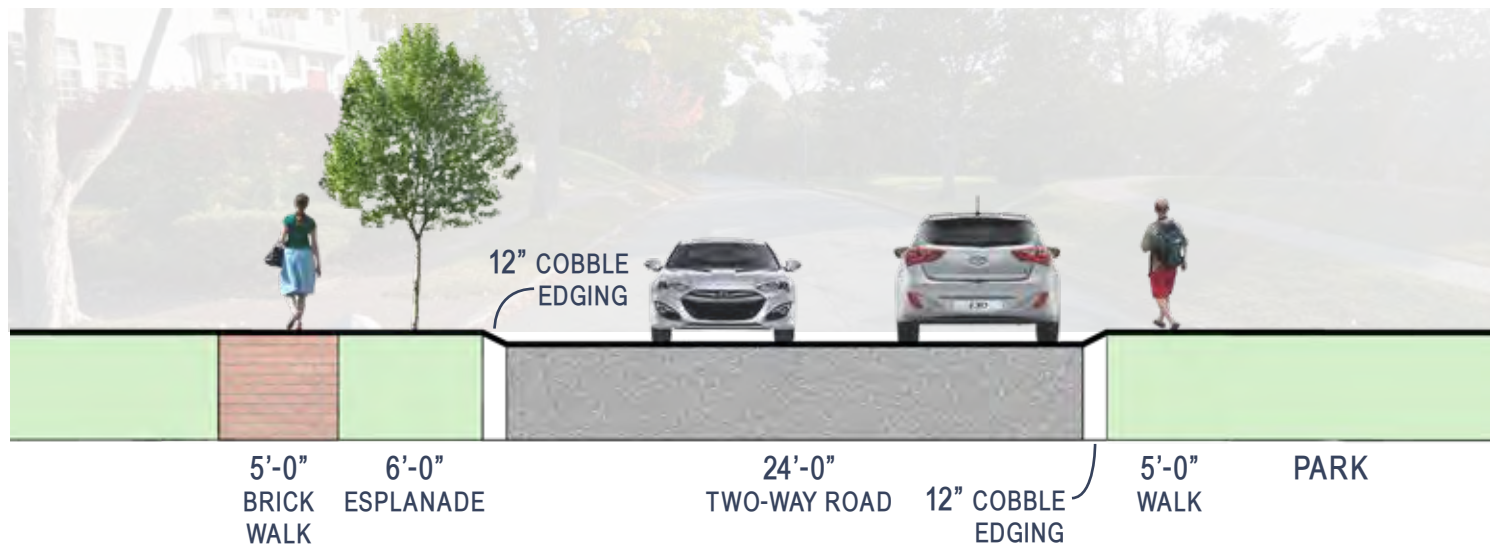




SECTION F-F': EXISTING CONDITIONS



SECTION F-F': PROPOSED CONDITIONS

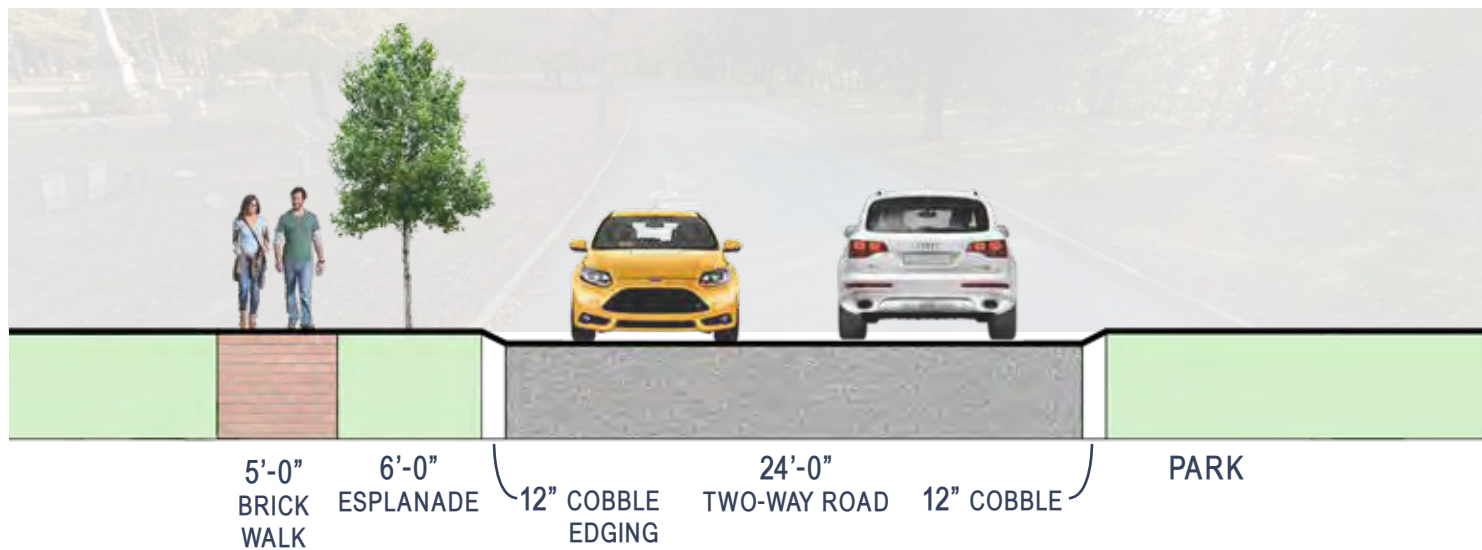


## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: WESTERN PROM ROADWAY

SECTION G-G': EXISTING CONDITIONS



SECTION G-G': PROPOSED CONDITIONS



## **Crosswalks**

In order to ensure that visitors have a safe access to the park, road crossings should be included at all intersections along the Western Promenade roadway. Therefore crosswalks are recommended at Bramhall Street, West Street, Pine Street, Carroll Street, Bowdoin Street, and Vaughan Street. These crossings should be more than a striped crossing that is typically found in roadways. Similar to what has been implemented in the Old Port district and Fort Allen Park, using a combination of brick, granite pavers, and/or cobblestones, would be sensitive to the historic aesthetic. The textural contrast—especially of cobblestones—also works as a tactile warning to both pedestrians and drivers and aides traffic calming.

The *Downtown Urban Design Guidelines* (1991), in regard to crosswalks, states: “In a few special instances, the City has permitted the installation of carefully designed crosswalks comprised of granite borders with a brick walking surface.” Alternative crosswalk paving in the Old Port Historic District also includes wide granite paver surrounded by cobblestones. “While alternative crosswalk designs add amenity to the pedestrian environment and are encouraged under special situations for special effect, the design and construction of any such special alternative must be carefully considered. Issues of durability, particularly as impacted by snow



*Example crosswalk with historically-appropriate materials in the Old Port*

plowing, visibility, and ease of walking should be addressed.”

Using this precedent of the Old Port Historic District street crossings, this Landscape Master Plan recommends an alternative to striping the proposed crossings on the Western Promenade roadway. Instead of striping, changing the paving materials to granite and cobblestone will maintain the historical aesthetic of the roadway.

The City’s *Technical Standards Manual* states that parking is prohibited with 20 feet from the centerline of a crosswalk, so adjustments to existing on-street parking extents should be made.



## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: WESTERN PROM ROADWAY

### **Food truck parking**

According to the 2017 version of the *City of Portland Food Truck Rules & Regulations*, food trucks are allowed to operate between 6 a.m. and 10 p.m. and permitted to operate on St. John Street from A Street to Valley Street, along Valley Street back to A Street, and along A Street between Valley and St. John Street. Food trucks also park along the Western Promenade roadway near Maine Medical Center at lunchtime during the week. They do not currently have designated parking and have to fight for one of the allocated on-street parking spaces.

The transition zone along Western Promenade adjacent to Maine Medical Center is an excellent location for food trucks. This master plan proposes creating a permanent parking location for 3 to 4 food trucks at the intersection of the Western Promenade roadway and Bramhall Street. A wider than standard sidewalk (14 feet) is recommended so that regular queuing does not damage the turf by compaction. (A local example of expanded food truck parking can be seen along Spring Street.)

When bigger events or festivals are scheduled for in the park and more food trucks are to be on site, then the horseshoe can be closed to visitor parking and utilized just for vendors.



*Food truck parking with ample sidewalk for queuing*





*(top left, right) Historical photographs with details of the Western Promenade roadway through the years (circa 1940)  
 (bottom left) Historical postcard showing details of the Western Promenade roadway; (bottom right) Eastern Promenade esplanade  
 with double row of trees, though they are not the species historically planted here (2018)*

### **Tree plantings**

Wherever possible, the original planting design intent should be restored along Western Promenade's esplanades. Replacing the trees increases property values of neighboring residences, provides shade for pedestrians, creates wildlife habitat, and reduces the heat island effect. For the most part this is intact, but often with species other than originally planted. As trees near their end of life, they should be replaced with original species: American elms and sugar maples. (Recent tree plantings in the esplanade with elms have been with the cultivar 'Princeton'.) The tree allées should be reintroduced from Bowdoin Street to Vaughan Street as reflected in the 1876 bird's-eye image.

A significant restoration effort will be to provide esplanades where they have been lost to increasing road and sidewalk widths. Some esplanades have not been lost altogether but drastically reduced. The expanded width allows more root zone for the trees, improving their health and their longevity.

FIGURE 5-4. LANDSCAPE MASTER PLAN: ENLARGEMENT OF UPPER PARK



**LEGEND**

- |                                         |                                               |
|-----------------------------------------|-----------------------------------------------|
| <b>A</b> RESTORED PAVILION/SEATING AREA | <b>D</b> MAINTAIN HISTORIC ELEMENTS           |
| <b>B</b> TURF ZONE                      | <b>E</b> INTERPRETIVE ELEMENTS                |
| <b>C</b> IMPROVE PEDESTRIAN WALKS       | <b>F</b> EXPANDED HORTICULTURAL PLANTED AREAS |

## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: UPPER PARK

### Design guidelines — upper park

- a. Maintain historic layout of paved walkways
- b. Implement a hierarchy of paving materials similar to what was established in the Deering Oaks Park Master Plan
- c. The Stevens & Cobb pavilion is a missing feature that should be reintroduced.
- d. The community has requested more seating in the park. Consider alternatives that explore these options. Study existing bench locations; relocate as appropriate for viewsheds & adjust plantings
- e. Preserve Prospect Point and re-purpose space.
- f. Replace damaged/dated site amenities with historically sensitive models (World's Fair bench, Historic Commission-approved light fixtures, etc.)
- g. Consider interpretive elements associated with the history of the site and neighborhood in appropriate locations.
- h. Accommodate ADA Accessibility Guidelines, especially at walks and site amenities
- i. Given the Western Promenade roadway's status as a neighborhood bicycle by-way, consider providing additional bike parking amenities at gateways
- j. Consider horticultural plantings & whether more can be restored and of what type, i.e. perennials versus annuals



Future alterations of the upper park should be reviewed for their appropriateness and sensitivity to the historic design intent.

Because there was strong support for a play space, all areas of the park were reviewed for their applicability. As the upper park was determined to be a space for restoration, not rehabilitation, it was determined that a play space was not appropriate in this area of the park. This area, along with the roadway, has the most historic integrity and reflects its original design (the layout that was in place at the end of the period of significance) more than other areas of the park. As a formal play space was never incorporated in this area, it is proposed for the a portion of the park just below the crown of the slope instead.

### **Walkways**

The walkways in the upper park retains its historic layout, including the walkways leading to the pavilion. These layouts should be maintained, but surface and widths should be adapted to meet the new standards set forth in this Historic Landscape Master Plan.

The only proposed change is an addition to include sidewalks in select areas. (These additions meet the Historic Preservation Board's Standard #10 as they are readily removable and will not adversely affect any character-defining features or historic materials. See Section 4 for more information.)

One sidewalk segment is proposed for the horseshoe parking area and should directly abut the parking with no esplanade. While this deviates from the historic layout, it provides accessible access point for visitors.

## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: UPPER PARK

### **Ornamental plantings**

The horticultural plantings are historic to the park and were used more extensively throughout the development of the park. They were first implemented in the late 1800s, with the “fancy evergreen” collections introduced in the 1910s. Many of the evergreens have outgrown their intended size and create screened areas that concern some visitors to the park. These should be removed and replacement plantings installed which better reflect the original design intent.

The horticultural planting beds could be reintroduced into more locations, if the City has the resources to maintain them. Additional beds could be located in the upper park, for example around the Reed statue, at the pavilion, and other points along the upper park of Western Promenade. The historical photographs and postcards suggest locations and styles of plantings. The historical description from the annual reports described perennials plantings *en masse*. See Section 2 of this report for more information.

It would be desirable to have water sources to each horticultural planting bed. Water lines for flower beds should be separated from drinking fountains. All of these horticultural beds should be mulched to help retain moisture and reduce the dependence on supplemental irrigation.



(top) Historical shrub plantings in the upper park, date unknown; image courtesy of cardcow.com

(bottom) Horticultural planting bed based on bulbs; image courtesy of KeukenhofTulip Gardens

## **Pavilion**

The 1891 pavilion designed by Stevens & Cobb was removed from the site in the late 1990s. In recent history, when it still stood, the pavilion was where the summer music concert series was held. The location is somewhat visible still in the landscape with the pathways leading to it and it is evident in historical aerial photographs.

When discussed with the community at the public meetings, the community was divided about reintroducing the pavilion. Many wanted to see the pavilion restored, while others felt that it was a nuisance that shielded illegal and illicit behavior. The pavilion was a part of the formal landscape which has been designated as an area for restoration to the extent possible by this master plan. However, given the safety concerns and accessibility standards—the original pavilion was set above finished grade by 3 steps and therefore would not comply with the current ADA Accessibility Guidelines—some modifications will be required.

As part of this Historic Landscape Master Plan, a study prepared a range of options from a faithful reconstruction based on available historical records to a plaza space located in the pavilion's original location but with no vertical or overhead structure. These options were reviewed by the Portland Police Department who were asked to share any



*(top, bottom) Historical postcards of the 1891 Stevens & Cobb pavilion for detailing reference*



## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: UPPER PARK

concerns that they have or problems noted with the exiting Eastern Promenade pavilion. Their feedback was that they do not often have issues at Eastern Promenade considering the high levels of use in the space, but they also offered that keeping sight lines as open as possible in a new pavilion would be beneficial to safety and security and would facilitate patrolling the space.

It was determined through these studies that reconstructing the historic pavilion was deemed unsuitable as it would not accommodate the public's safety concerns or ADA Accessibility Guidelines, and the open plaza space was also rejected as it did not conform to the goal of rehabilitating the 1891 pavilion.

A preferred option is a pavilion with architectural details borrowed from the original Stevens & Cobb pavilion of 1891, but which also opens up the pavilion by reducing the solid walls of the original structure. Renderings of what this pavilion could look like are included on the following pages. The renderings depict the columns extending to the ground creating transparency and discouraging inappropriate activity on the roadside of the pavilion. It also includes a row of curved benches providing seating. On the park side, the pavilion steps down to grade (approximately three steps), creating additional seating that is oriented towards

the desirable viewsheds and sunsets. These steps can be used for concerts, plays, story time, etc. and allow both the interior of the pavilion and the grass area in front of it to be used as performance space. This creates ample opportunities for flexible programming and, by reducing the solid walls of the original structure, it also addresses the security and safety concerns of the public, and provides the City with a space that can be used for small and large programming events. At the locations where the remnant walkways meet the pavilion, the access points can be graded to meet the interior elevation of the pavilion to provide universal accessibility,

It is the intent that the pavilion be located at its original location when reintroduced to the park. It was also determined that the original materials (i.e. red shingled roof, cedar shakes on the walls and columns) should be maintained and that the Shingle Style architecture of the original structure should inform the design of the new pavilion. The size of the pavilion is based on the remnant imprint that can be seen when the turf has gone dormant and is reflected in historical aerial photography images. Because no historical plans have been located, this is the best method to determine size. The pavilion in the sketches has been shown at 25 feet in diameter. A final design by an architect should be undertaken prior to further planning.

## PREFERRED REPLACEMENT PAVILION ALTERNATIVE



*(top) Rendering of preferred option for pavilion replacement—looking down the escarpment towards the Fore River*



*(bottom) Rendering of preferred option for pavilion replacement—looking towards the Western Promenade roadway*

## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: UPPER PARK

Based on the state of Maine's GIS resources which provides topography with 2-foot contours available, some earthwork and re-grading may be necessary with the reintroduction of the pavilion. While the majority of the main walkway in the upper park appears to be well within the range of accessible gradients for accessible routes (up to 4.9%; most appear to have less than 1.5% longitudinal gradient), there is one section that appears to be greater than 5.0%. This area extends from near where the pavilion walkway connects to the main walkway and extends approximately 75 feet to the north. Based on the data, the grades may be able to be adjusted with earthwork in the area, as they are less than 6.5%. Otherwise, restoring the walkway in this area would require the installation of a handrail and straightening of this portion of the walkway.

### **Benches & seating**

During the on-line survey, additional seating was a frequent request. Comments included creating seating that is more conversation-friendly and creating spaces that encourages the community to gather and recreate together. Reintroducing a version of the pavilion will accomplish that within the formal portion of the park.

Benches in the park are often placed behind large shrub plantings, which as they are often lilacs, smell lovely in spring, but obscure the views.

Locations of benches should be adjusted after plantings have been altered to ensure positive and clear viewsheds. Locations should reflect the historical alignment of having several benches lined up along the walkway near the core of the park.

As the benches are placed, the old concrete and wood benches should be replaced with the 1939 Worlds Fair iron and ipe benches.

### **Site lighting**

The community requested additional lighting along the main walkway in the park. Using the Historic Commission's approved site lighting fixtures for historic parks, this can be achieved by lighting the Western Promenade roadway with the vehicular-scale fixtures, as suggested in the City's *Technical Standards Manual*. Then, another line of pedestrian-scale fixture can be placed along the main park walkway at closer intervals ensuring that the walkway is lit to the City standard levels. Light levels would have to be evaluated with a photometric study. It will be essential not to create too much light so that sunsets and stars are washed out.

### **Interpretive elements**

To be consistent with the historic aesthetic of this portion of the park, interpretive elements should be discrete and appropriately scaled. All interpretive panels should be placed on an accessible walk and should be one of the standards established at the beginning of this section.

Possible interpretive themes based on the history of the landscape that could be explored include:

- James Bundy Brown and his estate, Bramhall Hall
- The fire of 1866 and how it impacted city development (may be more appropriate at Lincoln Park)
- Maine Central Railroad and its impact on the West End of Portland
- Winter sports in historic Portland
- Although the themes of Mayor Phinney Baxter and the Park System and of William Goodwin and the park system have already been interpreted at other park locations, this information could be repeated here as well.

## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: UPPER PARK

### **Prospect Point**

Prospect Point is considered an underutilized portion of the park. It is a character-defining feature which dates to 1884-1885 and once had a drinking fountain. The southernmost meridian marker is located in the turf panel and this area would be a suitable location for an interpretive panel discussing the markers use and history. Additionally, this area would be an appropriate place for a bench under a shade tree and a replacement drinking fountain.

In the discussion on proposed improvements to the southern park, providing enhanced pedestrian access is one of the more significant improvements. As part of that discussion, new connections are proposed to discourage the creation of additional desire lines as well as to discourage undesirable park activities which currently occur in this area. By creating stairs within the existing Prospect Point retaining wall direct access would be provided to the southern park but should be carefully designed so that they do not permanently alter the historic wall and so that they do not appear to be an original feature of the wall. (City of Portland's Historic Preservation Review Standards #2, 3, 9 and 10). This could be accomplished by building the stairs proud of the existing wall and leaving the wall intact.

Near the meridian marker located within Prospect Point, there is a rustic set of steps that connect to a desire line into the woods, heading to the south. This desire line should be connected to the expanded trail network. The fact that this master plan also proposes a seating area, interpretive panel, and viewshed clearing in this area will help to discourage undesirable activity.



FIGURE 5-5. LANDSCAPE MASTER PLAN: ENLARGEMENT OF SOUTHERN PARK



**LEGEND**

- A** PARK TRAILHEAD
- B** NEW TRAIL
- C** NEW SIDEWALK

- D** FROTHINGHAM MEMORIAL

## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: SOUTHERN PARK

### Design guidelines — southern park

- a. Consider the vegetative setting of the Frothingham Memorial.
- b. Maintain visual connection to Western Cemetery for pedestrians.
- c. Provide enhanced pedestrian access. Consider providing crosswalk(s) to Western Cemetery at Bowdoin Street and extending the sidewalk.
- d. Define layouts for new trail segments to connect Western Promenade to Danforth Street. Utilize Portland Trails to assist in the construction and maintenance.
- e. In order to both improve pedestrian access and expand the trail network at Western Prom, consider incorporating existing desire lines into the expanded trail network.



### **Pedestrian access**

This area of the park currently limited formal pedestrian access; only the trailheads for the Carriage Road Trail and the Toboggan Run Trail are here.

### **Sidewalk and crossings**

The 2006 Open Space and Recreation Plan, *Green Spaces/Blue Edges*, states that “[t]he Western Cemetery is a significant element of the Western Promenade open space.” Integrating these two green spaces creates a larger open space with additional amenities for visitors.

Additionally, the Western Cemetery Master Plan proposes a sidewalk paralleling to the roadway. There currently exists social trails/desire lines on both sides of the Western Promenade roadway, but those on the park side taper off near the driveway of the residences of 40 and 52 Western Promenade. Therefore, it is proposed that one sidewalk be included on the cemetery property where there is ample room for a 6-foot esplanade and a 5-foot sidewalk. This will provide continuous access in the park and Western Cemetery and they will function as one cohesive green space.

### **Trails**

Mentioned in the discussion on Prospect Point, there are existing desire lines that should be incorporated into the expanded trail network of Western Prom to provide more recreation opportunities for the park’s visitors, as well as to discourage undesirable activities. The existing rustic stairs, and proposed stairs providing access from Prospect Point’s historical retaining wall, can be connected with trail segments. From these points, a trail can begin to activate and provide access to the rest of Western Promenade and connect to the existing Toboggan Run Trail.

Portland Trails, the City, and some Portland residents have expressed a desire to have a connection from Western promenade to the Fore River Parkway Trail which is just across Danforth Street and runs parallel to West Commercial Street. The City-owned parcel of land between 467 and 481 Danforth Street slopes similarly to the rest of Western Promenade making an accessible route unfeasible, but a stepped trail would be plausible.

This trail would connect to a sidewalk on Danforth Street which needs to be improved to meet the current City standards. It is currently concrete but in poor condition. Signage should be placed at the sidewalk to discourage pedestrians from crossing Danforth Street for quick access to the Fore River

## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: SOUTHERN PARK

Parkway Trail and encourage visitors to use either the crosswalks at Danforth Street/Vaughan Street or those at Danforth Street/Valley Street. (The Fore River Parkway Trail is planned to continue along West Commercial Street to the old Port. Also, the Bay Side Trail is to be extended to complete a full loop of the peninsula between the two trails.)

The City naturally wants to be good neighbors to the residents along Western Promenade and Danforth Street. Recommendations to create a trail connection from Danforth Street to the park on City-owned land can be buffered with additional plantings that screen the public land and help maintain privacy.

The undeveloped parcels of land are shown on the 2018 Land Bank holdings map as contiguous with Western Promenade and listed as a part of parcel “E-62:Western Promenade”. (The Eastern Promenade and Deering Oaks Park are similarly designated as land bank holding, not a city park/open space as are many of the City parks.)

### **Frothingham Memorial**

The Frothingham Memorial is currently obscured by the two large evergreen yew shrubs which flank it. It is proposed that these both be removed and ornamental planting beds be installed at the base of the existing retaining wall and within the Prospect Point walkway horseshoe.



*The memorial to Lieutenant Philip B. Frothingham deserves a more dignified setting.*

### **Stormwater**

It was reported that the stormwater runoff from Bowdoin Street flows down the Western Promenade roadway and into the driveways of the residences across from Western Cemetery. Efforts have been made to capture this runoff into a bio-swale. However, with no curb cut, the water has no way to access the depression on the turf area.

A rain garden/bio-swale feature can be engineered to collect stormwater on the Western Promenade roadway and can be designed to be a green infrastructure feature that is also attractive.



*(top) Existing swale in the lawn across from Western Cemetery*

*(bottom) Bio-swale garden at Cornell University Botanical Gardens*

## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: SOUTHERN PARK

### **Vista clearing**

While the Cianbro Marine Facility is located on the north bank of the Fore River just to the southwest of the southern portion of the park, there are also stunning views of the river and its marshlands. Providing the public the opportunity to enjoy these river views would be extending the original design intent—to provide the public with views of the surrounding landscape—to the southern portion of the park. Selective clearing of vegetation on the slope can add another level of interest to this area of the park.



*View towards the Fore River and its marshlands. Image courtesy of the Friends of Western Promenade.*



FIGURE 5-6. LANDSCAPE MASTER PLAN: ENLARGEMENT OF THE SLOPE



**LEGEND**

- |                                 |                                                  |
|---------------------------------|--------------------------------------------------|
| <b>A</b> PARK GATEWAY/TRAILHEAD | <b>D</b> TURF ALTERNATIVE ZONE                   |
| <b>B</b> NEW TRAIL/WALKWAY      | <b>E</b> INTERPRETIVE ELEMENTS                   |
| <b>C</b> VIEWSHED CLEARING      | <b>F</b> RE-INTRODUCE HISTORIC STAIRS FOR ACCESS |
|                                 | <b>G</b> PLAY-ORIENTED SCULPTURAL ELEMENT        |

## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: THE SLOPE

### Design guidelines — the slope

- a. Restore select open viewsheds. Vegetation management is essential to reintroducing views in select viewsheds corridors while maintaining vegetative screening of less desirable views where necessary.
- b. Redefine the connection at the northern end of the park to connect Maine Medical to Valley Street. Consider redundant social trails and the impacts to existing vegetation and rootzones.
- c. Manage invasive plant species while selectively thinning the trees on the slope.
- d. Reintroduce amenities for winter sports.
- e. Expand trail network through wooded area.
- f. Consider providing an element of play that is suited to the historic character of the park landscape.
- g. Strengthen pedestrian connections to Gilman Street & Valley Street properties.
- h. Reintroduce the stairs to Valley Street entrance.
- i. Consider interpretive elements, i.e. sustainability, natural resources
- j. Manage existing vegetation around edges of woodland by lifting the limbs of canopy trees and pull tree line back along all walkways and trails (existing and proposed) to ensure safety and comfort.

### **Viewshed restoration**

Viewsheds are one of the most significant features of Western Promenade. They are the reason that this land was set aside as public ground. While the views have changed more dramatically than those of the park's counterpart—Eastern Promenade, they remain important to the ethos of the park.

Views to Mount Washington and the Presidential Range are already visible from the formal park area and with the reintroduction of the pavilion and its slight increase in elevation, may be more so. The pavilion also may provide more view of the former railroad administration building on St. John Street—a remnant of the Maine Central Railroad heyday.

As part of the existing condition assessment, several distinct locations were identified as areas for potential vista improvement. (See Figure 3-4.) Some of these correspond to locations along the existing primary walkway where one would expect to have an open view of the landscape beyond the park:

- Near the horseshoe on the strong bend in the walkway looking down towards the Valley Street park amenities
- Opposite the memorial bench which is dedicated “In memory of Gilbert/He loved to sit/So take a seat and enjoy the view...” and yet the view is obscured by vegetation.

- A broad view from the area of the upper park that is across from Carroll Street which include the Fore River, its expansive salt marshes, and the airport
- At Prospect Point, near the head of Bowdoin Street where the path follows the linear alignment of the street layout—one of the few places in the park where this occurs.
- Another location is in the southern park where currently, no walkway or trail exists. However, as one is proposed for this area to Danforth Street and there are stunning views of the river and salt marshes. The goal here would be to continue to screen as much of the industry on the northern bank to the south of West Commercial Street, as well as the residences.

While these locations for viewshed clearing on the slope have been reviewed through multiple seasons by the Master Planning committee, they are not set in stone. As was done during the master planning process, the selective clearing of views should be carefully coordinated with City staff from the Department of Parks, Recreation & Facilities and the Department of Planning & Urban Development, Historic Preservation Programs to ensure that the viewsheds are in keeping with the goals and guidelines set forth herein.



## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: THE SLOPE

### Viewshed clearing guidelines

The goal for viewshed clearing at Western Prom is not to create a distinct swath down the slope void of trees, but to create captured views of the scenery beyond Western Promenade. It is also a goal to remove as many invasive tree species as possible while selecting for the more beneficial native tree species. Selecting to remove the invasive species helps to prevent new plants from establishing and change the cycle of growth and dominance by the species. Norway maples have such a dense canopy cover that they shade out many other native species. Because the grade of the slope of Western Prom is so steep, it will be possible to clear more heavily at the top of the slope and leave some taller vegetation towards the bottom. Guidelines for the selective clearing for crafting viewsheds on the slope are:

- Remove as many invasive tree species as possible, focusing especially on the dominant Norway maple (*Acer platanoides*). Consider cutting trees flush to grade and leaving stumps in the grade for slope stability.
- Focus tree clearing on the upper half of the slope where views are more readily obscured for the historic upper park.
- On the lower half of the slope, remove invasive species but retain the beneficial, native species, such as northern red oak (*Quercus rubra*), pitch pine (*Pinus rigida*), and birches (*Betula spp.*).

- Where the upper slope is cleared of the majority of its tree species, the slope should then be planted with the bank transition groundcover species as identified in the discussion on Planting Zones earlier in this Section of the report.

Careful attention should be made to the removal of trees and the viewsheds that area created. Some viewsheds will want to be less opaque than others where a mix of attractive and less desirable views are possible. Some viewsheds may be narrow glimpses meant to tease the eye—i.e. multiple flashes of the sun gleaming off of Fore River, where others will be broad viewsheds meant to tell a more significant story—i.e. the wide extents of the Presidential Range.

### Woodland edges

Much of the woodland at Western Prom is dense come summertime, due in large part to the predominance of the Norway maple and its thick canopy and large leaf size. In discussions with the Department of Parks, Recreation & Facilities, it was determined that for safety and security by opening up views into the woodlands, as well as to assist maintenance, it will be beneficial to clear approximately 30 feet of the woodland edge. Additionally, this will allow sunlight to reach the understory introducing new species.



*(left) Careful viewshed restoration in this location (from the pathway paralleling the horseshoe drive) will open views of the Fore River, its marshes, and the bridges crossing them both.*



*(right) A similar viewshed of the marshes and bridges in winter.*



*(left) The summer viewshed in front of the memorial bench highlighted in Section 3*



*(right) Opening this view up will provide broader views of the river and its ecosystem, as well as views of the jetport*



## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: THE SLOPE



*(left) The summertime view over the water from Prospect Point at the head of Bowdoin Street*



*(right) A similar viewshed looking to the northwest from another location in the park.*



*(left) The obscured view (right) of the Fore River and its salt marshes, looking south towards Pleasantdale*





*(left) An example of semi-formal granite stairs at a park entry in a historic park. For the stairs at the Valley Street entrance to Western Promenade, the stairs should have handrails that meet International Building Code and ADA Accessibility Guidelines. (Jamaica Pond Park, Boston)*

*(right) An example of rustic park stairs for trails on the slope from Riverton Trolley Park*

## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: THE SLOPE

### **Pedestrian connections**

#### Valley Street to the Western Promenade roadway

The connection between Valley Street and the Western Promenade roadway near Gilman Street is a significant connection that is a priority for the City. The current pathway replaced the historical stairs but is not coordinated with the City's maintenance equipment and is very difficult to clear of snow in winter. Additionally, the sharp dogleg in the lower portion of the path makes the path circuitous and some visitors are looking for a quick route up the hill creating social trails and desire lines. The desire lines are unstable and erode with stormwater exposing tree roots and destabilizing the slope.

The first priority is to ensure that the existing walkway can be retrofitted so that the City's maintenance equipment can clear the pathway of snow so that it is usable all year round.

The community expressed a desire for the stairs to be reintroduced into the park. While the stairs would not be usable for everyone, they do provide a more direct point of access, as well as an exercise feature. As a missing character-defining feature, these stairs should be located near their original location, in a style similar to what was their historically and somewhat formal in fitting with the park entry with

stone pillars. The stairs should be made of granite treads finished so that they blend with the historic character of the landscape. These stairs, as part of the walkway system within the park, should have handrails incorporated into that meet International Building Code and ADA Accessibility Guidelines.

#### Connection to Gilman Street & Maine Medical Center

Another connection should be designated that takes an even more direct route up the slope. The desire lines in the area do this already, but grades are very steep and some of the paths diverge into wooded or treed areas which does damage to the trees' roots.

A single, stepped path can be developed proximate to where the multiple desire lines currently exist. This walkway can connect to Gilman Place/ Gilman Street, the sidewalk at the Western Promenade roadway, and the Maine Medical Center entrance off Bramhall Street.





*(top left) Overgrown and dense canopy along the Carriage Road Trail*

*(bottom left) Invasive Norway maples crowding out native oak and birch trees*

*(right) Norway maple stand with birches behind*

## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: THE SLOPE

### Expanded trail network

The topography map in Section 3 (Figure 3-8) clearly shows the extreme gradients of the slope of Western Promenade. The vast majority is 30% (3:1) or greater. This makes the introduction of new trail segments challenging, and means that without considerable earthwork and re-grading of the slope, proposed new trail segments will not be universally accessible. However, as the community has requested additional trail connections, and more consequentially, more segments that create loops in the trail network, further study should be undertaken to determine where exactly these trails can be connected to existing and proposed walkways and trail segments.

As the park's existing trails tend to be oriented in the northwest-southeast direction, it would be beneficial to create trail segments that are oriented northeast to southwest and ideally in the north end of the park. This would expand the trail network and create more opportunities for a circuit throughout the park landscape. One such trail segment could connect the pavilion space to the community garden. The very steep slopes will require close study of grades, vegetation, and soils. This trail connection would also require a stepped solution.

Proposed trail segments can include stairs or stepped walkways as part of the trail run to traverse steep slopes of 3:1 or greater. Through most of this portion of the park, more rustic steps would be suitable. It is worth noting that trails with steps would not be usable for winter sports depending on the activity and amount of snow that is allowed to accumulate. An image on page 160 shows existing rustic park stairs at Riverton Trolley Park are a fitting example for stepped paths within the expanded trail network.





(top left, right) Norway maple, common buckthorn  
 (bottom left, center, right) Garlic mustard, Japanese barberry, and black swallowwort  
 All images, this page, courtesy of [www.invasive.org](http://www.invasive.org).

## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: THE SLOPE

### **Invasive plants**

In the *City of Portland Technical Standards Manual*, Section 4 - Landscaping & Landscape Preservation. Part 4.7.4 discusses invasive species considered to be “adaptable, aggressive, and having a high reproductive capacity”. These include:

- *Acer platanoides*, Norway maple
- *Alliaria petiolata*, garlic mustard
- *Ampelopsis brevipedunculata*, porcelainberry
- *Berberis thunbergii*, Japanese barberry
- *Celastrus orbiculata*, Asiatic bittersweet
- *Cynanchum louiseae*, black swallowwort
- *Elaeagnus angustifolia*, Russian olive
- *Elaeagnus umbellata*, autumn olive
- *Fallopia japonica*, Japanese knotweed
- *Frangula alnus*, glossy buckthorn
- *Lonicera japonica*, Japanese honeysuckle
- *Lonicera morrowii*, Morrow’s honeysuckle
- *Lonicera tartarica*, tartarian honeysuckle
- *Microstegium vimineum*, Japanese stiltgrass
- *Polygonum perfoliatum*, mile-a-minute weed
- *Ranunculus ficaria*, lesser celandine
- *Rhamnus cathartica*, common buckthorn
- *Rosa multiflora*, multiflora rose

These species should be eliminated on the slope section by section. When plantings are eliminated, native species should be planted along with naturalized species that are especially suited for stabilization of slopes.

The removal of Norway maples will be helpful to expand the ecosystem on the slope. Their canopy creates dense shade that blocks beneficial plants from growing. They also obstruct views into the wooded area.

Where plantings are introduced—especially as invasive species are eliminated from the slope, new species should be planted to ensure coverage, water retention, and the reduction of erosion—native species should make up at least 50% of the plantings. The *City of Portland Technical Standards Manual*, Section 4 - Landscaping & Landscape Preservation also includes a Recommended Tree List which should be reviewed. Additional plant recommendations and planting standards are included in this section of the *Technical Standards Manual* and should be incorporated into plans.





(top left, right) Cross-country skiing & glade skiing at Mount Sutton, Quebec  
(bottom) Wide gravel trails used for multiple user groups, including mountain biking

## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: THE SLOPE

### **Winter activities**

Western Promenade has a history of winter sports, including sleigh riding, ski jumping, and tobogganing. There is a strong desire on the part of the community to reintroduce some of these activities. Cross-country skiing and snowshoeing are easy to accommodate as they require little in the way of improvements and can be overlaid on the existing trail system.

As glade skiing, is typically off trail, only a rope line would need to be implemented to assist skiers coming back up the slope.

The historic toboggan run is now limited due to the installation of Valley Street. It may be possible to create a new toboggan run with a substantial run-out that ends towards the level area near the Valley Street dog park, but additional grading studies will need to be completed,

### **Interpretive elements**

All interpretive panels should be placed on an accessible walk and should be one of the sign standards established at the beginning of this section. This portion of the park may be better suited to interpreting natural features and resources.

Possible interpretive themes that could be explored include:

- Peak finder for the Presidential Range: This would have to be fairly high on the slope so that the peaks can still be seen
- Pollinator planting areas
- Erosion & stormwater
- Invasive versus native planting species



*Artist's renderings of the concept of "Bears and Blueberries" developed for the Friends of Western Promenade. Images courtesy of Chris Miller of New Paradigm Design Workshop, LLC*



## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: THE SLOPE

### **Play feature**

There was substantial support within the community for a play feature in Western Promenade. Based on a survey of the existing recreation space provided in the City's West End, there is no public playspace with one-half mile of Western Promenade for either the West End or the Valley/St. John Streets neighborhood.

Discussions were divided on where that should occur within the park, from the upper park to the lower park at Valley Street. While some areas within the park are not suitable for the introduction of a playspace, there is an area towards the top of the slope which can reasonably accommodate a play feature without diminishing the formal character of the upper park. This location should allow for the play feature to be located below the brow of the slope and therefore would not adversely impact the historical viewshed to the mountains.

The play feature should be made fully accessible so that it is open to all visitors. A small retaining wall may be required to level the playspace, though depending on the play component it could be designed to work with the slope and create unique opportunities for inclusive play.

The Western Promenade Master Planning Committee determined that the most appropriate play feature for the park would be a play-oriented sculptural piece. An example of such a piece is the "Bramhall Square Picnic" (or "Bears and Blueberries" as it is affectionately known) designed by local artist Chris Miller of New Paradigm Design Workshop, LLC. The proposal was a favorite entry in the Bramhall Square Park competition from 2017. The pieces are playful, yet functional, as they may be used as seating, can be climbed on by children, and their whimsical nature also has some regional context with the theme.

While the concept is one that could be explored with a number of themes, the sculptural piece should be aesthetically appropriate for the Western Promenade landscape. It is one that could be explored through a design competition, or a public-private partnership. TEMPOart is one such (non-profit) organization with which the City could work to develop a playful art component on a temporary basis. TEMPOart describes their mission as: "Portland, Maine's new public art program [...] bringing temporary, curated, site-specific artworks to key neighborhoods and urban sites."



FIGURE 5-7. LANDSCAPE MASTER PLAN: ENLARGEMENT OF LOWER PARK



**LEGEND**

- |                                      |                                      |
|--------------------------------------|--------------------------------------|
| <b>A</b> PARK GATEWAY/TRAILHEAD      | <b>E</b> FORMALIZED PARKING          |
| <b>B</b> NEW TRAIL/WALKWAY           | <b>F</b> COMMUNITY GARDEN            |
| <b>C</b> NEW SIDEWALK                | <b>G</b> BASKETBALL HALF-COURT       |
| <b>D</b> PROPOSED NATURAL PLAY SPACE | <b>H</b> IMPROVED DOG PARK           |
|                                      | <b>I</b> PROPOSED FOOD TRUCK PARKING |



## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: LOWER PARK

### Design guidelines — lower park

- a. Formalize parking to be more efficient & sustainable.
- b. Consider creating a consistent sidewalk along the park side of Valley Street.
- c. Preserve the CCC-era retaining walls on Valley Street and restore as necessary
- d. Incorporate standard site amenities (benches, waste receptacles, bike racks, etc.)
- e. Provide enhanced pedestrian access. Consider additional trail segments between amenities in this area and connections up the slope to other park areas. Accommodate ADA Accessibility Guidelines
- f. Consider improved trailheads and/or park gateways
- g. Incorporate additional elements of play (i.e. play space for small children, half-court basketball court)
- h. Improve dog park by providing shade, amenities, water & improved drainage
- i. Improve stormwater system as the site currently drains into the dog park where non-point source pollution could impact the groundwater.
- j. Consider park light levels and adding site lighting in the park area and along the Valley Street sidewalk for public safety and security.
- k. Food trucks are permitted along Valley Street. Consider allocating a dedicated space for food trucks on Valley Street.
- l. As this is the more modern portion of the park, there is some flexibility in park use. This flexibility should be carried forward in park development and accommodating the neighborhoods future desires and needs.
- m. Manage existing vegetation around this portion of the park by lifting the limbs of canopy trees along walkways and trails, and pull tree line back to ensure safety and comfort.

## **Pedestrian connections**

### **Valley Street sidewalk**

The right-of-way of Valley Street needs to be closely studied to determine whether or not the sidewalk can or should be placed along the road profile, or if it should be placed above the CCC-era walls. Placing them atop the walls would require additional cost for guardrails; might require additional fill and/or stabilization of the walls; and, would need to be studied to determine if the transition from road elevation to wall elevation would meet ADA Accessibility Guidelines for maximum slope of grade. Placing the sidewalk adjacent to the road profile, however, may necessitate the loss of on-street parking, but would ensure an accessible route given the relative flatness of Valley Street.

### **Expanded trail network**

The trail network at the lower park should connect to a formal trailhead near the proposed parking off of Valley Street. The trail should continue to connect to the proposed play area and basketball court north of the parking, and to the existing sidewalk. This will provide full access to the features in the lower park, as well as create more loop options within the park.

## **Valley Street dog park**

Today's dog park consists of a shelter, a gravel surface, 2 water faucets, and an encircling fence. According to the Association of Professional Dog Trainers, all dog parks should have the following features:

- Amenities for picking up and disposing of dog waste
- Drinking water
- Shade
- Enough space to avoid crowding and allow play

Ideally, dog parks should also include the following:

- Separate entry and exit gates to avoid conflict
- A 2-gate system to avoid dogs accidentally escaping
- No 90-degree angles in the fence where dogs or people can be cornered
- Natural barriers (i.e. hills, rocks, or trees) that allow a dog to separate itself if necessary
- A distinct enclosed area for smaller dogs
- Play equipment (i.e. places to sit, agility equipment, climbing structures, tunnels)
- Water feature for play
- Shade for people and dogs

## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: LOWER PARK

Given this, it is recommended that the dog park be shifted to make room for the parking area, and also to incorporate part of the treed slope and wooded area. And while it is beneficial to have a wet area for splashing, it is likely not ideal to have the detention basin for the entire site located within the dog park in case the dog waste is not properly disposed of and the water quality is compromised.

A paved loop within the park could also be included to provide a regular walking route for the dogs that prefer regularity, as well as for owners with mobility impairments. The surface of the dog park can be a challenge. Turf—while soft for the dogs' paws—will quickly get compacted and torn up. Gravel allows the urine to drain but is less comfortable for dog's paws. Stone dust or crusher fines, while better than gravel for paws, absorbs the dog urine and quickly has an odor. A suitable gravel base below the stone dust surface will aide drainage; pea gravel is a small aggregate (typically a washed, rounded aggregate, 3/8-of-an-inch in size) that drains well and is suitable for dog parks.

And for the humans: benches, shade, and shelter for inclement weather, and drinking water. Gate placement is key to ensure an accessible entrance for everyone. Signage is also essential in displaying rules for the dog park.

### **Play space**

Community members at public meetings presented strong opinions that the Valley/St. Johns Streets neighborhood has a significant amount of families which would also be served by a play space. This is supported by the fact that the community garden plots in Portland are based on a lottery system, so residents may be coming from any neighborhood within the City. Given that, and the fact that the adjacent dog park is one of a few enclosed off-leash dog parks in the City, the lower park should be considered for additional family amenities.

It is recommended that a small play space would be incorporated here at the lower park to provide for both the Valley/St. Johns Streets neighbors, as well as the users of the dog park and community gardeners. While this is the most modern portion of Western Promenade, amenities should still be sensitive to the historical aesthetic. A play space could be introduced that is naturalistic in appearance is appropriate for this site and possibly encourages more creative play.

Replacement of the half-court basketball court is also included in the space. However, the location of these two spaces have been swapped so that there is a stronger connection between the community gardens and play space so that caregivers can keep an eye on the smaller children.



*(top left, right) Peter's Park Dog Run in Boston with pea stone base, shade, and play elements*

*(bottom left, right) Naturalistic play space at Welles Park Nature Play Space in Chicago*

## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: LOWER PARK

### **Parking**

A formal parking area makes better use of the available space as drivers are forced to be more efficient in parking between lines and allows for accessible parking. Parking does not have to be impermeable and should be designed in coordination with stormwater system plans. Approximately 16 to 20 spaces can be included in the area which would require a minimum of one handicap accessible space and one supporting access aisle must be included. Further study is required to review existing grades in the area.

The *Technical Standards Manual* includes standards for parking spaces (See Section 1.14 - Parking & Parking Space Design). The spaces shall be dimension 9 feet wide by 18 feet long. Two-way drive lanes shall be total of 24 feet wide. Based on the *Standards*, any parking lot over 10 spaces would require 20% of spaces to be sized for compact vehicles with reduced dimensions of 8 feet wide by 15 feet long.

### Food truck parking

Just as in the upper park, food trucks are permitted along Valley Street but no spaces have been designated for the vendor parking. Two to three on-street parking spaces, adjacent to the proposed formal park entry, can be allocated with an expanded sidewalk for queuing. This would result in the loss of 4 to 5 on-street parking spaces.

### **Valley Street community garden**

It was determined during the course of this master planning process, that while additional community garden plots are desired within the City that expanding the community garden at Valley Street was not a priority considering its historic nature and limited space. However, one minor change proposed is to relocate the garden shed so that sight lines are clear between the gardens and the play space.

### **Lighting**

The play space, dog park, basketball court, community garden, food truck parking, and the Valley Street sidewalks should have some level of site lighting to ensure that the spaces are safe and secure, even if the park is only open from dawn to dusk. Lighting these spaces helps manage users and makes it easier for City staff and police to identify if people are using the park for undesirable activities after dark.

### **Vegetation management**

The lower park is surrounded by the vegetation of the wooded slope. The dense vegetation can encourage undesirable activities and make this area of the park feel uncomfortable to visitors. To improve this situation, it is recommended that the vegetation around the Valley Street amenities (dog park, community gardens, basketball court, play space, walkways and sidewalks, trailhead and gateways, parking, etc. ) be thinned to improve visibility. Several steps will improve the existing conditions:

- Lift the canopies of all trees near park amenities to a minimum of 8 feet above finished grade
- Pull the tree line away from all park amenities by 10 to 15 feet. This includes removing all trees, shrubs, and saplings.
- Remove understory plants from woodland within 75-feet of Valley Street amenities
- Remove all invasive species from area near the Valley Street amenities

Consider leaving some large, good quality, native trees in and around the dog park area to provide shade.



## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: PRIORITY PROJECTS

### Priority projects

During the planning and recommendation phase, a short list of priority projects was developed. Two tiers of projects were developed: the high priority projects are those that are less resource intensive, but have a safety or accessibility component associated with them. They may also be projects that can be undertaken with City staff. These projects also focus on the upper park and the park's original design intent. The second tier projects are those that may have a slightly higher reliance on City resources but are also projects that are well-suited to fundraising. These projects are not in a specific order intended for implementation. It is assumed some projects may be able to be implemented ahead of others based on capital funds, grant cycles, etc. It should be noted that the sequencing and phasing of these projects should be carefully considered so to avoid disruption and/or damage to projects already completed.

These lists are as follows with descriptions based on the recommendations made in Section 5 of this report, and an order of magnitude cost estimate and adjusted design fees. The estimates have been included in Appendix D. (These order of magnitude estimates have been rounded up to reflect budgetary numbers and potential inflation. The associated design fees have also been adjusted based on the anticipated level of actual design and/or engineering required relevant to the project.)

### First tier

#### Switchback walkway maintainability improvements

Based on the recommendations, this project includes reviewing and revising the existing bituminous walkway, as well as removing the existing pavement, placing new pavement, and making adjustments to the retaining wall. This will require design services from a registered landscape architect or civil engineer to ensure that the proposed grades are suitable and meet required regulations. The project does not include site lighting upgrades or the proposed stairs.

- Construction cost estimate: \$ 50,000
- Design/engineering fees: \$ 6,000

#### Viewshed restoration

This project includes the selective clearing of viewsheds in the wooded slope for the purpose of restoring the original design intent of viewing the countryside beyond the park. The project will include crown raising and cleaning of all trees on the borders of the woodland; removal of invasive species (which would likely include repeated efforts depending on the species); clearing of understory vegetation; and, selective removal of trees in a corridor designated on site for the opening of particular vistas. Where this work clears the ground



plane of vegetation, it should be re-vegetated with native shrubs. This work could be undertaken by City staff.

- Construction cost estimate: \$ 250,000
- Design/engineering fees: n/a

### Seating improvements

This project includes removing the existing site benches which do not met the current park standard; adjusting the location of select benches with obscured views (including demolition and reseeding of existing concrete pads, and the installation of new pads); and, installing new benches with pads. It will likely also include the pruning and/or removal of overgrown shrub and tree plantings not covered in the preceding project. This work could be undertaken by City staff.

- Construction cost estimate: \$ 90,000
- Design/engineering fees: n/a

### Walkways improvements & accessibility

This project includes updating all the historic walkways to a consistent exposed aggregate pavement meeting the width and gradient standards set forth earlier in this section. New walkway alignments proposed would also be incorporated into this project, including the proposed sidewalks along the Western Promenade roadway from Bramhall Street to Pine Street, and at Prospect Point and Western Cemetery. This project should include a registered landscape architect to prepare the construction documents to ensure that the material finish is as desired, and to review and grading for accessibility compliance.

- Construction cost estimate: \$ 950,000
- Design/engineering fees: \$ 48,000

### Reintroducing the pavilion

This project includes reintroducing the pavilion to the upper park. As discussed earlier in this section of the report, the pavilion should be designed by a registered architect for design and compliance with regulations.

- Construction cost estimate: \$ 250,000
- Design/engineering fees: \$ 30,000

## SECTION 5 — HISTORIC LANDSCAPE MASTER PLAN: PRIORITY PROJECTS

### Site lighting

This project includes removal of all existing site lights, installing new conduit with electrical wiring line, and hand-holes where it does not currently exist, and installing new site lights as defined in the standards of this report. This project will require a registered landscape architect and a registered electrical engineer.

- Construction cost estimate: \$ 1,525,000
- Design/engineering fees: \$ 50,000

### Signage

This project includes removing the limited existing park signage, and installing a new suite of signage designed specifically for the park, including park identification signage, wayfinding signs, trailhead signs, and interpretive panels. This project will require a graphic designer who specializes in signage systems.

- Construction cost estimate: \$85,000
- Design/engineering fees: \$10,000

### Second tier

#### Tree allée in esplanades

This project includes replacing the existing trees in the Western Promenade esplanades that are in poor condition and planting new trees where they are currently missing. This work could be undertaken by City staff.

- Construction cost estimate: \$355,000
- Design/engineering fees: n/a

#### Valley Street park

This project is the most comprehensive of the priority projects and includes formalizing the parking area, creating a new trailhead and expanded trails/walkways, expanding and improving the dog park, creating a parking place and queuing area for food trucks, installing a new play area, including surfacing, and installing a new half-court basketball court. A registered landscape architect should be contracted with to design this project area and prepare construction documents.

- Construction cost estimate: \$500,000
- Design/engineering fees: \$60,000

### Reduction in the roadbed width of Western Promenade

This project includes the reduction in roadbed width of Western Promenade as shown in the sections in this section. It involved removal of existing pavement and pavement base, resetting or restoring the angled cobblestone edging, seeding the esplanades, and repaving of the roadways. It also includes the installation of cobblestone and granite crosswalks. The installation of trees in the esplanades was covered in a previous project. This project should be completed with a registered landscape architect and/or civil engineer.

- Construction cost estimate: \$ 1,500,000
- Design/engineering fees: \$ 75,000

### Play feature

This project includes developing the play-oriented space including surfacing, plantings, seating, and signage. The major costs in this project is based on the design of the play-oriented sculpture, including the design by an artist, so this project cost could be highly variable based on the artist, the sculpture which is designed, and the materials from which it will be implemented. An allowance is included in this project cost estimate for re-grading of the slope and for a retaining wall which may be required to retain some of the slope. This project should be completed with a registered landscape architect.

- Construction cost estimate: \$ 250,000 (includes artist's fees)
- Design/engineering fees: \$ 30,000

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Major Repositories of Olmsted Collections used in  
this Report

**Frederick Law Olmsted National Historic Site**

99 Warren Street  
Brookline, MA 02445  
[www.nps.gov/frla](http://www.nps.gov/frla)

Western Promenade, Portland, Maine – Job # 1864,  
(1904-1904)

Collections include:

- Plans and Drawings

**Library of Congress, Manuscript Division**

James Madison Memorial Building  
101 Independence Avenue, Room LM 101  
Washington, D.C. 20540-4680  
[www.loc.gov/rr/mss](http://www.loc.gov/rr/mss)

Olmsted Associates Papers (1863-1975), Box 102,  
Reels #75

Collections include:

- Job Files, Project #1860, Portland Parks (1895-1931)

# APPENDICES

- A. United State Forest Service (USFS) Trail Design Parameters**
- B. City of Portland Regulatory & Welcome Signage Standards**
- C. Sample Specifications for Historic Walkway Exposed Aggregate Concrete Pavement**
- D. Order of magnitude cost estimates for priority projects**

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# APPENDIX A.

## **A. United State Forest Service (USFS) Trail Design Parameters**



## Trail Class Matrix

Trail Classes are general categories reflecting trail development scale, arranged along a continuum. The Trail Class identified for a National Forest System (NFS) trail prescribes its development scale, representing its intended design and management standards.<sup>1</sup> Local deviations from any Trail Class descriptor may be established based on trail-specific conditions, topography, or other factors, provided that the deviations do not undermine the general intent of the applicable Trail Class.

Identify the appropriate Trail Class for each National Forest System trail or trail segment based on the management intent in the applicable land management plan, travel management direction, trail-specific decisions, and other related direction. Apply the Trail Class that most closely matches the management intent for the trail or trail segment, which may or may not reflect the current condition of the trail.

| Trail Attributes                | Trail Class 1<br>Minimally Developed                                                                                                                                                                                                         | Trail Class 2<br>Moderately Developed                                                                                                                                                                                                                     | Trail Class 3<br>Developed                                                                                                                                                                                                                                                             | Trail Class 4<br>Highly Developed                                                                                                                                                                                                                                                                                                                                                                                           | Trail Class 5<br>Fully Developed                                                                                                                                                                                                                                                                                                    |
|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Tread &amp; Traffic Flow</b> | <ul style="list-style-type: none"> <li>• Tread intermittent and often indistinct</li> <li>• May require route finding</li> <li>• Single lane with no allowances constructed for passing</li> <li>• Predominantly native materials</li> </ul> | <ul style="list-style-type: none"> <li>• Tread continuous and discernible, but narrow and rough</li> <li>• Single lane with minor allowances constructed for passing</li> <li>• Typically native materials</li> </ul>                                     | <ul style="list-style-type: none"> <li>• Tread continuous and obvious</li> <li>• Single lane, with allowances constructed for passing where required by traffic volumes in areas with no reasonable passing opportunities available</li> <li>• Native or imported materials</li> </ul> | <ul style="list-style-type: none"> <li>• Tread wide and relatively smooth with few irregularities</li> <li>• Single lane, with allowances constructed for passing where required by traffic volumes in areas with no reasonable passing opportunities available</li> <li>• Double lane where traffic volumes are high and passing is frequent</li> <li>• Native or imported materials</li> <li>• May be hardened</li> </ul> | <ul style="list-style-type: none"> <li>• Tread wide, firm, stable, and generally uniform</li> <li>• Single lane, with frequent turnouts where traffic volumes are low to moderate</li> <li>• Double lane where traffic volumes are moderate to high</li> <li>• Commonly hardened with asphalt or other imported material</li> </ul> |
| <b>Obstacles</b>                | <ul style="list-style-type: none"> <li>• Obstacles common, naturally occurring, often substantial and intended to provide increased challenge</li> <li>• Narrow passages; brush, steep grades, rocks and logs present</li> </ul>             | <ul style="list-style-type: none"> <li>• Obstacles may be common, substantial, and intended to provide increased challenge</li> <li>• Blockages cleared to define route and protect resources</li> <li>• Vegetation may encroach into trailway</li> </ul> | <ul style="list-style-type: none"> <li>• Obstacles may be common, but not substantial or intended to provide challenge</li> <li>• Vegetation cleared outside of trailway</li> </ul>                                                                                                    | <ul style="list-style-type: none"> <li>• Obstacles infrequent and insubstantial</li> <li>• Vegetation cleared outside of trailway</li> </ul>                                                                                                                                                                                                                                                                                | <ul style="list-style-type: none"> <li>• Obstacles not present</li> <li>• Grades typically &lt; 8%</li> </ul>                                                                                                                                                                                                                       |

10/16/2008

| <b>Trail Attributes</b>                                             | <b>Trail Class 1<br/>Minimally Developed</b>                                                                                                                                                                                                                                                                                                                                  | <b>Trail Class 2<br/>Moderately Developed</b>                                                                                                                                                                                                                                                                                                                                                              | <b>Trail Class 3<br/>Developed</b>                                                                                                                                                                                                                                                                                                                                                                                                     | <b>Trail Class 4<br/>Highly Developed</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>Trail Class 5<br/>Fully Developed</b>                                                                                                                                                                                                                                                                                                                                                      |
|---------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Constructed Features &amp; Trail Elements</b>                    | <ul style="list-style-type: none"> <li>Structures minimal to non-existent</li> <li>Drainage typically accomplished without structures</li> <li>Natural fords</li> <li>Typically no bridges</li> </ul>                                                                                                                                                                         | <ul style="list-style-type: none"> <li>Structures of limited size, scale, and quantity; typically constructed of native materials</li> <li>Structures adequate to protect trail infrastructure and resources</li> <li>Natural fords</li> <li>Bridges as needed for resource protection and appropriate access</li> </ul>                                                                                   | <ul style="list-style-type: none"> <li>Structures may be common and substantial; constructed of imported or native materials</li> <li>Natural or constructed fords</li> <li>Bridges as needed for resource protection and appropriate access</li> </ul>                                                                                                                                                                                | <ul style="list-style-type: none"> <li>Structures frequent and substantial; typically constructed of imported materials</li> <li>Constructed or natural fords</li> <li>Bridges as needed for resource protection and user convenience</li> <li>Trailside amenities may be present</li> </ul>                                                                                                                                                                                                    | <ul style="list-style-type: none"> <li>Structures frequent or continuous; typically constructed of imported materials</li> <li>May include bridges, boardwalks, curbs, handrails, trailside amenities, and similar features</li> </ul>                                                                                                                                                        |
| <b>Signs<sup>2</sup></b>                                            | <ul style="list-style-type: none"> <li>Route identification signing limited to junctions</li> <li>Route markers present when trail location is not evident</li> <li>Regulatory and resource protection signing infrequent</li> <li>Destination signing, unless required, generally not present</li> <li>Information and interpretive signing generally not present</li> </ul> | <ul style="list-style-type: none"> <li>Route identification signing limited to junctions</li> <li>Route markers present when trail location is not evident</li> <li>Regulatory and resource protection signing infrequent</li> <li>Destination signing typically infrequent outside of wilderness; generally not present in wilderness</li> <li>Information and interpretive signing not common</li> </ul> | <ul style="list-style-type: none"> <li>Route identification signing at junctions and as needed for user reassurance</li> <li>Route markers as needed for user reassurance</li> <li>Regulatory and resource protection signing may be common</li> <li>Destination signing likely outside of wilderness; generally not present in wilderness</li> <li>Information and interpretive signs may be present outside of wilderness</li> </ul> | <ul style="list-style-type: none"> <li>Route identification signing at junctions and as needed for user reassurance</li> <li>Route markers as needed for user reassurance</li> <li>Regulatory and resource protection signing common</li> <li>Destination signing common outside of wilderness; generally not present in wilderness</li> <li>Information and interpretive signs may be common outside of wilderness</li> <li>Accessibility information likely displayed at trailhead</li> </ul> | <ul style="list-style-type: none"> <li>Route identification signing at junctions and for user reassurance</li> <li>Route markers as needed for user reassurance</li> <li>Regulatory and resource protection signing common</li> <li>Destination signing common</li> <li>Information and interpretive signs common</li> <li>Accessibility information likely displayed at trailhead</li> </ul> |
| <b>Typical Recreation Environments &amp; Experience<sup>3</sup></b> | <ul style="list-style-type: none"> <li>Natural, unmodified</li> <li>ROS: Typically Primitive to Roaded Natural</li> <li>WROS: Typically Primitive to Semi-Primitive</li> </ul>                                                                                                                                                                                                | <ul style="list-style-type: none"> <li>Natural, essentially unmodified</li> <li>ROS: Typically Primitive to Roaded Natural Typically</li> <li>WROS: Typically Primitive to Semi-Primitive</li> </ul>                                                                                                                                                                                                       | <ul style="list-style-type: none"> <li>Natural, primarily unmodified</li> <li>ROS: Typically Primitive to Roaded Natural</li> <li>WROS: Typically Semi-Primitive to Transition</li> </ul>                                                                                                                                                                                                                                              | <ul style="list-style-type: none"> <li>May be modified</li> <li>ROS: Typically Semi-Primitive to Rural Roaded Natural to Rural setting</li> <li>WROS: Typically Portal or Transition</li> </ul>                                                                                                                                                                                                                                                                                                 | <ul style="list-style-type: none"> <li>May be highly modified</li> <li>Commonly associated with visitor centers or high-use recreation sites</li> <li>ROS: Typically Roaded Natural to Urban</li> <li>Generally not present in Wilderness</li> </ul>                                                                                                                                          |

<sup>1</sup> For National Quality Standards for Trails, Potential Appropriateness of Trail Classes for Managed Uses, Design Parameters, and other related guidance, refer to FSM 2353, FSH 2309.18, and other applicable agency references.

<sup>2</sup> For standards and guidelines for the use of signs and posters along trails, refer to the Sign and Poster Guidelines for the Forest Service (EM-7100-15).

<sup>3</sup> The Trail Class Matrix shows the combinations of Trail Class and Recreation Opportunity Spectrum (ROS) or Wilderness Recreation Opportunity Spectrum (WROS) settings that commonly occur, although trails in all Trail Classes may and do occur in all settings. For guidance on the application of the ROS and WROS, refer to FSM 2310 and 2353 and FSH 2309.18.



## Design Parameters

Design Parameters are technical guidelines for the survey, design, construction, maintenance, and assessment of National Forest System trails, based on their Designed Use and Trail Class and consistent with their management intent<sup>1</sup>. Local deviations from any Design Parameter may be established based on trail-specific conditions, topography, or other factors, provided that the deviations are consistent with the general intent of the applicable Trail Class.

| Designed Use<br>HIKER/PEDESTRIAN |                                 | Trail Class 1                                    | Trail Class 2                                           | Trail Class 3 <sup>2</sup>                                                                                                                 | Trail Class 4 <sup>2</sup>                                                                                | Trail Class 5 <sup>2</sup>                                                |
|----------------------------------|---------------------------------|--------------------------------------------------|---------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| Design<br>Tread<br>Width         | Wilderness<br>(Single Lane)     | 0" – 12"                                         | 6" – 18"                                                | 12" – 24"<br>Exception: may be<br>36" – 48" at steep side<br>slopes                                                                        | 18" – 24"<br>Exception: may be<br>36" – 48" at steep side<br>slopes                                       | Not applicable                                                            |
|                                  | Non-Wilderness<br>(Single Lane) | 0" – 12"                                         | 6" – 18"                                                | 18" – 36"                                                                                                                                  | 24" – 60"                                                                                                 | 36" – 72"                                                                 |
|                                  | Non-Wilderness<br>(Double Lane) | 36"                                              | 36"                                                     | 36" – 60"                                                                                                                                  | 48" – 72"                                                                                                 | 72" – 120"                                                                |
|                                  | Structures<br>(Minimum Width)   | 18"                                              | 18"                                                     | 18"                                                                                                                                        | 36"                                                                                                       | 36"                                                                       |
| Design<br>Surface <sup>3</sup>   | Type                            | Native, ungraded<br>May be continuously<br>rough | Native, limited grading<br>May be continuously<br>rough | Native with some onsite<br>borrow or imported<br>material where needed<br>for stabilization,<br>occasional grading<br>Intermittently rough | Native with improved<br>sections of borrow or<br>imported material,<br>routine grading<br>Minor roughness | Likely imported material,<br>routine grading<br>Uniform, firm, and stable |
|                                  | Protrusions                     | ≤ 24"<br>Likely common and<br>continuous         | ≤ 6"<br>May be common and<br>continuous                 | ≤ 3"<br>May be common, not<br>continuous                                                                                                   | ≤ 3 "<br>Uncommon, not<br>continuous                                                                      | No protrusions                                                            |
|                                  | Obstacles<br>(Maximum Height)   | 24"                                              | 14"                                                     | 10"                                                                                                                                        | 8"                                                                                                        | No obstacles                                                              |
| Design<br>Grade <sup>3</sup>     | Target Grade                    | 5% – 25%                                         | 5% – 18%                                                | 3% – 12%                                                                                                                                   | 2% – 10%                                                                                                  | 2% – 5%                                                                   |
|                                  | Short Pitch Maximum             | 40%                                              | 35%                                                     | 25%                                                                                                                                        | 15%                                                                                                       | 5%<br>FSTAG: 5% – 12% <sup>2</sup>                                        |
|                                  | Maximum Pitch Density           | 20% – 40% of trail                               | 20% – 30% of trail                                      | 10% – 20% of trail                                                                                                                         | 5% – 20% of trail                                                                                         | 0% – 5% of trail                                                          |

10/16/2008

| Designed Use<br>HIKER/PEDESTRIAN |                     | Trail Class 1                                            | Trail Class 2                                                      | Trail Class 3 <sup>2</sup> | Trail Class 4 <sup>2</sup> | Trail Class 5 <sup>2</sup> |
|----------------------------------|---------------------|----------------------------------------------------------|--------------------------------------------------------------------|----------------------------|----------------------------|----------------------------|
| Design Cross Slope               | Target Cross Slope  | Natural side slope                                       | 5% – 20%                                                           | 5% – 10%                   | 3% – 7%                    | 2% – 3%<br>(or crowned)    |
|                                  | Maximum Cross Slope | Natural side slope                                       | 25%                                                                | 15%                        | 10%                        | 3%                         |
| Design Clearing                  | Height              | 6'                                                       | 6' – 7'                                                            | 7' – 8'                    | 8' – 10'                   | 8' – 10'                   |
|                                  | Width               | ≥ 24"<br>Some vegetation may encroach into clearing area | 24" – 48"<br>Some light vegetation may encroach into clearing area | 36" – 60"                  | 48" – 72"                  | 60" – 72"                  |
|                                  | Shoulder Clearance  | 3" – 6"                                                  | 6" – 12"                                                           | 12" – 18"                  | 12" – 18"                  | 12" – 24"                  |
| Design Turn                      | Radius              | No minimum                                               | 2' – 3'                                                            | 3' – 6'                    | 4' – 8'                    | 6' – 8'                    |

<sup>1</sup> For definitions of Design Parameter attributes (e.g., Design Tread Width and Short Pitch Maximum) see FSH 2309.18, section 05.

<sup>2</sup> Trail Classes 3, 4, and 5, in particular, have the potential to provide accessible passage. If assessing or designing trails for accessibility, refer to the Forest Service Trail Accessibility Guidelines (FSTAG) for more specific technical provisions and tolerances (FSM 2350).

<sup>3</sup> The determination of trail-specific design grades, design surface, and other Design Parameters should be based upon soils, hydrological conditions, use levels, erosion potential, and other factors contributing to surface stability and overall sustainability of the trail.



## Design Parameters

Design Parameters are technical guidelines for the survey, design, construction, maintenance, and assessment of National Forest System trails, based on their Designed Use and Trail Class and consistent with their management intent<sup>1</sup>. Local deviations from any Design Parameter may be established based on trail-specific conditions, topography, or other factors, provided that the deviations are consistent with the general intent of the applicable Trail Class.

| Designed Use<br>BICYCLE        |                               | Trail Class 1                                                                                                                            | Trail Class 2                                                                                                                   | Trail Class 3                                                                                                                                                                                                              | Trail Class 4                                                                                                     | Trail Class 5                                                              |
|--------------------------------|-------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|
| Design<br>Tread<br>Width       | Single Lane                   | 6" – 12"                                                                                                                                 | 12" – 24"                                                                                                                       | 18" – 36"                                                                                                                                                                                                                  | 24" – 48"                                                                                                         | 36" – 60"                                                                  |
|                                | Double Lane                   | 36" – 48"                                                                                                                                | 36" – 48"                                                                                                                       | 36" – 48"                                                                                                                                                                                                                  | 48" – 84"                                                                                                         | 72" – 120"                                                                 |
|                                | Structures<br>(Minimum Width) | 18"                                                                                                                                      | 18"                                                                                                                             | 36"                                                                                                                                                                                                                        | 48"                                                                                                               | 60"                                                                        |
| Design<br>Surface <sup>2</sup> | Type                          | Native, un-graded<br><br>May be continuously rough<br><br>Sections of soft or unstable tread on grades < 5% may be common and continuous | Native, limited grading<br><br>May be continuously rough<br><br>Sections of soft or unstable tread on grades < 5% may be common | Native with some onsite borrow or imported material where needed for stabilization, occasional grading<br><br>Intermittently rough<br><br>Sections of soft or unstable tread on grades < 5% may be present, but not common | Native, routine grading with improved sections of borrow or imported materials<br><br>Stable with minor roughness | Likely imported material, routine grading<br><br>Uniform, firm, and stable |
|                                | Protrusions                   | ≤ 24"<br><br>Likely common and continuous                                                                                                | ≤ 6"<br><br>May be common and continuous                                                                                        | ≤ 3"<br><br>May be common, not continuous                                                                                                                                                                                  | ≤ 3"<br><br>Uncommon, not continuous                                                                              | No protrusions                                                             |
|                                | Obstacles<br>(Maximum Height) | 24"                                                                                                                                      | 12"                                                                                                                             | 10"                                                                                                                                                                                                                        | 8"                                                                                                                | No obstacles                                                               |
| Design<br>Grade <sup>2</sup>   | Target Grade                  | 5% – 20%                                                                                                                                 | 5% – 12%                                                                                                                        | 3% – 10%                                                                                                                                                                                                                   | 2% – 8%                                                                                                           | 2% – 5%                                                                    |
|                                | Short Pitch Maximum           | 30%<br><br>50% on downhill-only segments                                                                                                 | 25%<br><br>35% on downhill-only segments                                                                                        | 15%                                                                                                                                                                                                                        | 10%                                                                                                               | 8%                                                                         |
|                                | Maximum Pitch Density         | 20% – 30% of trail                                                                                                                       | 10% – 30% of trail                                                                                                              | 10% – 20% of trail                                                                                                                                                                                                         | 5% – 10% of trail                                                                                                 | 0% – 5% of trail                                                           |

10/16/2008

| Designed Use<br>BICYCLE  |                     | Trail Class 1                                                | Trail Class 2                                                      | Trail Class 3 | Trail Class 4 | Trail Class 5 |
|--------------------------|---------------------|--------------------------------------------------------------|--------------------------------------------------------------------|---------------|---------------|---------------|
| Design<br>Cross<br>Slope | Target Cross Slope  | 5% – 10%                                                     | 5% – 8%                                                            | 3% – 8%       | 3% – 5%       | 2% – 3%       |
|                          | Maximum Cross Slope | 10%                                                          | 10%                                                                | 8%            | 5%            | 5%            |
| Design<br>Clearing       | Height              | 6'                                                           | 6' – 8'                                                            | 8'            | 8' - 9'       | 8' - 9'       |
|                          | Width               | 24" – 36"<br>Some vegetation may encroach into clearing area | 36" – 48"<br>Some light vegetation may encroach into clearing area | 60" – 72"     | 72" – 96"     | 72" – 96"     |
|                          | Shoulder Clearance  | 0' – 12"                                                     | 6" – 12"                                                           | 6" – 12"      | 6" – 18"      | 12" – 18"     |
| Design<br>Turn           | Radius              | 2' – 3'                                                      | 3' – 6'                                                            | 4' – 8'       | 8' – 10'      | 8' - 12'      |

<sup>1</sup> For definitions of Design Parameter attributes (e.g., Design Tread Width and Short Pitch Maximum) see FSH 2309.18, section 05.

<sup>2</sup> The determination of trail-specific design grades, design surface, and other Design Parameters should be based upon soils, hydrological conditions, use levels, erosion potential, and other factors contributing to surface stability and overall sustainability of the trail.





## Design Parameters

Design Parameters are technical guidelines for the survey, design, construction, maintenance, and assessment of National Forest System trails, based on their Designed Use and Trail Class and consistent with their management intent<sup>1</sup>. Local deviations from any Design Parameter may be established based on trail-specific conditions, topography, or other factors, provided that the deviations are consistent with the general intent of the applicable Trail Class.

| Designed Use<br>CROSS-COUNTRY SKI        |                                        | Trail Class 1                                                       | Trail Class 2                    | Trail Class 3                                                                 | Trail Class 4                                                  | Trail Class 5                                                       |
|------------------------------------------|----------------------------------------|---------------------------------------------------------------------|----------------------------------|-------------------------------------------------------------------------------|----------------------------------------------------------------|---------------------------------------------------------------------|
| Design Groomed Width                     | Single Lane                            | Typically not designed or actively managed for cross-country skiing | 2' – 4'<br>Typically not groomed | 6' – 8'<br>(or width of grooming equipment)                                   | 8' – 10"<br>(or width of grooming equipment)                   | Typically not designed or actively managed for cross-country skiing |
|                                          | Double Lane                            |                                                                     | 6' – 8'                          | 8' – 12'                                                                      | 12' – 16'                                                      |                                                                     |
|                                          | Structures<br>(Minimum Width)          |                                                                     | 36"                              | 36"                                                                           | 36"                                                            |                                                                     |
| Design Grooming and Surface <sup>2</sup> | Type                                   |                                                                     | Generally no machine grooming    | May receive occasional machine grooming for snow compaction and track setting | Regular machine grooming for snow compaction and track setting |                                                                     |
|                                          | Protrusions                            |                                                                     | No protrusions                   | No protrusions                                                                | No protrusions                                                 |                                                                     |
|                                          | Obstacles<br>(Maximum Height)          |                                                                     | 12"<br>Uncommon                  | 8"<br>Uncommon<br>(no obstacles if machine groomed)                           | No obstacles                                                   |                                                                     |
| Design Grade <sup>2</sup>                | Target Grade                           |                                                                     | 5% – 15%                         | 2% – 10%                                                                      | 0% – 8%                                                        |                                                                     |
|                                          | Short Pitch Maximum                    |                                                                     | 25%                              | 20%                                                                           | 12%                                                            |                                                                     |
|                                          | Maximum Pitch Density                  |                                                                     | 10% – 20% of trail               | 5% – 15% of trail                                                             | 0% – 10% of trail                                              |                                                                     |
| Design Cross Slope                       | Target Cross Slope                     |                                                                     | 0% – 10%                         | 0% – 5%                                                                       | 0% – 5%                                                        |                                                                     |
|                                          | Maximum Cross Slope<br>(For up to 50') |                                                                     | 20%                              | 15%                                                                           | 10%                                                            |                                                                     |

10/16/2008

| Designed Use<br>CROSS-COUNTRY SKI |                                                | Trail Class 1 | Trail Class 2                                                       | Trail Class 3                                                       | Trail Class 4                                                                     | Trail Class 5 |
|-----------------------------------|------------------------------------------------|---------------|---------------------------------------------------------------------|---------------------------------------------------------------------|-----------------------------------------------------------------------------------|---------------|
| Design<br>Clearing                | Height<br>(Above normal maximum<br>snow level) |               | 6' – 8'                                                             | 8'<br>(or height of grooming<br>machinery)                          | 8' – 10'                                                                          |               |
|                                   | Width                                          |               | 24" – 60"<br>Light vegetation may<br>encroach into clearing<br>area | 72" – 20"<br>Light vegetation may<br>encroach into clearing<br>area | 96" – 168"<br>Widen clearing at turns or<br>if increased sight distance<br>needed |               |
|                                   | Shoulder Clearance                             |               | 0" – 6"                                                             | 0" - 12"                                                            | 0" – 24"                                                                          |               |
| Design<br>Turn                    | Radius                                         |               | 8' – 10'                                                            | 15' – 20'<br>(or to accommodate<br>grooming equipment)              | ≥ 25'                                                                             |               |

<sup>1</sup> For definitions of Design Parameter attributes (e.g., Design Tread Width and Short Pitch Maximum) see FSH 2309.18, section 05.

<sup>2</sup> The determination of trail-specific grades, surface, and other Design Parameters should be based upon soils, hydrological conditions, use levels, erosion potential and other factors contributing to surface stability and overall sustainability of the trail.



## Design Parameters

Design Parameters are technical guidelines for the survey, design, construction, maintenance, and assessment of National Forest System trails, based on their Designed Use and Trail Class and consistent with their management intent<sup>1</sup>. Local deviations from any Design Parameter may be established based on trail-specific conditions, topography, or other factors, provided that the deviations are consistent with the general intent of the applicable Trail Class.

| Designed Use<br>SNOWSHOE       |                               | Trail Class 1                                               | Trail Class 2                 | Trail Class 3                                               | Trail Class 4                                                     | Trail Class 5                                               |
|--------------------------------|-------------------------------|-------------------------------------------------------------|-------------------------------|-------------------------------------------------------------|-------------------------------------------------------------------|-------------------------------------------------------------|
| Design<br>Tread<br>Width       | Single Lane                   | Typically not designed or actively managed for snowmobiles. | 36"                           | 36" – 48"                                                   | 36' – 60'                                                         | Typically not designed or actively managed for snowmobiles. |
|                                | Double Lane                   |                                                             | 60"                           | 72"                                                         | 72" – 96"                                                         |                                                             |
|                                | Structures<br>(Minimum Width) |                                                             | 36"                           | 48"                                                         | 48"                                                               |                                                             |
| Design<br>Surface <sup>2</sup> | Type                          |                                                             | Generally no machine grooming | May receive occasional machine grooming for snow compaction | Likely to receive occasional machine grooming for snow compaction |                                                             |
|                                | Protrusions                   |                                                             | No protrusions                | No protrusions                                              | No protrusions                                                    |                                                             |
|                                | Obstacles<br>(Maximum Height) |                                                             | 12"<br>Uncommon               | 8"<br>Uncommon<br>(no obstacles if machine groomed)         | No obstacles                                                      |                                                             |
| Design<br>Grade <sup>2</sup>   | Target Grade                  |                                                             | 10% – 20%                     | 5% – 15%                                                    | 0% – 10%                                                          |                                                             |
|                                | Short Pitch Maximum           |                                                             | 30%                           | 20%                                                         | 15%                                                               |                                                             |
|                                | Maximum Pitch Density         |                                                             | 5% – 20% of trail             | 5% – 25% of trail                                           | 0% – 10% of trail                                                 |                                                             |
| Design<br>Cross<br>Slope       | Target Cross Slope            |                                                             | 0% – - 10%                    | 0% – 5%                                                     | 0% – 5%                                                           |                                                             |
|                                | Maximum Cross Slope           |                                                             | 20%                           | 15%                                                         | 10%                                                               |                                                             |

10/16/2008

| Designed Use<br>SNOWSHOE |                                                | Trail Class 1 | Trail Class 2                                                      | Trail Class 3                                                 | Trail Class 4                                                    | Trail Class 5 |
|--------------------------|------------------------------------------------|---------------|--------------------------------------------------------------------|---------------------------------------------------------------|------------------------------------------------------------------|---------------|
| Design<br>Clearing       | Height<br>(Above normal maximum<br>snow level) |               | 6' – 8'                                                            | 8'                                                            | 8' – 10'                                                         |               |
|                          | Width                                          |               | 48"<br>Some light vegetation<br>may encroach into<br>clearing area | 72"<br>Light vegetation may<br>encroach into clearing<br>area | 72" – 96"                                                        |               |
|                          | Shoulder Clearance                             |               | 0"                                                                 | 12"                                                           | 12" – 24"                                                        |               |
| Design<br>Turn           | Radius                                         |               | 3' – 4'                                                            | 3' – 6'                                                       | 4' – 8'<br>(provide sufficient radius<br>for grooming equipment) |               |

<sup>1</sup> For definitions of Design Parameter attributes (e.g., Design Tread Width and Short Pitch Maximum) see FSH 2309.18, section 05.

<sup>2</sup> The determination of trail-specific design grades, design surface, and other Design Parameters should be based upon soils, hydrological conditions, use levels, erosion potential, and other factors contributing to surface stability and overall sustainability of the trail.

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# APPENDIX B.

## **B. City of Portland Regulatory & Welcome Signage Standards**

**MATERIAL NOTES:**

1. Sign Material: high intensity grade .080 aluminum

**SIGN COLOR NOTES:**

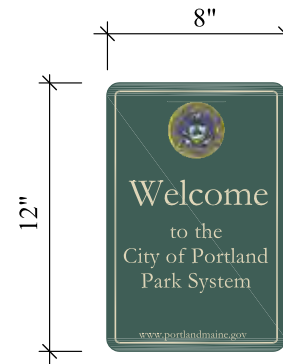
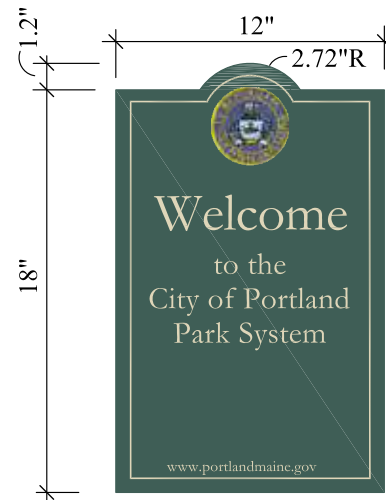
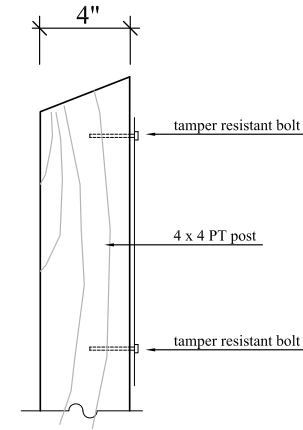
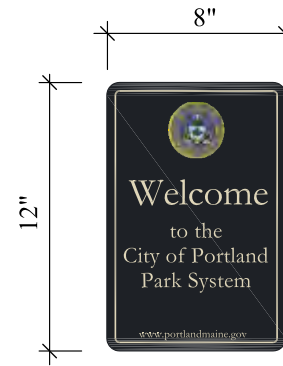
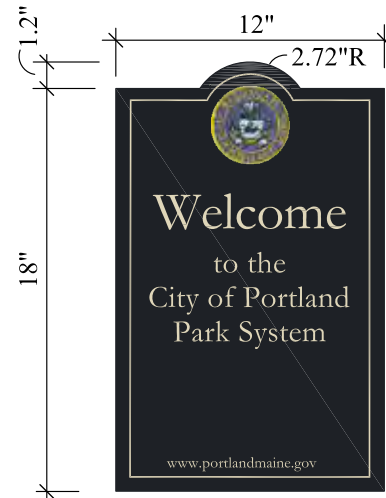
1. Background Color (brown): R = 30; G = 33; B = 38
2. Background Color (green): R = 63, G = 94, B = 86
3. Text Color: R = 223; G = 214; B = 185

**FONT NOTES:**

1. Font Style: Cheltenham
2. Text Sizes:  
"Back Cove Trail" = 5.25"  
"Established" = 2.25"  
"Welcome..." = 2.25"

**MOUNTING BRACKET NOTES:**

1. Tamper Resistant Bolts:
  - Button Head Anti-vandal screws
  - 3/4" long x 1/4" - 20 thread
  - Stainless Steel

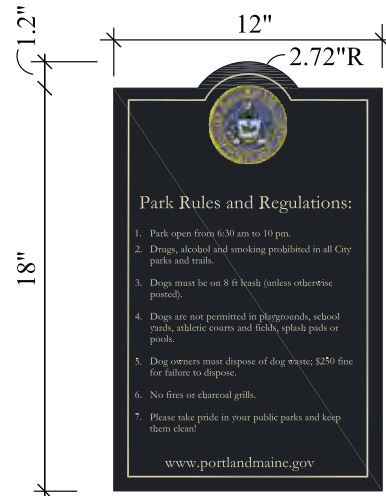


6

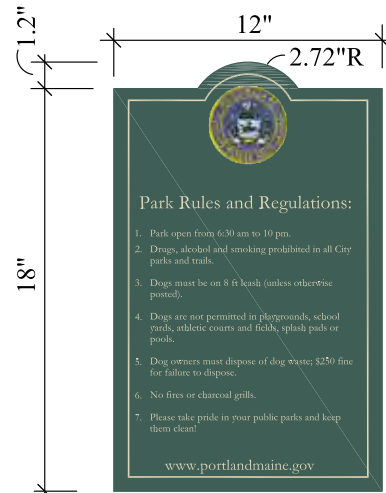
|                                                                                                                 |                   |  |
|-----------------------------------------------------------------------------------------------------------------|-------------------|--|
| Title: PARK WELCOME SIGNS - SMALL                                                                               |                   |  |
| Date: SEPTEMBER 14, 2016                                                                                        | Scale: 1" = 1'-0" |  |
| Project: SIGNAGE PILOT PROJECT - DEPT. OF PARKS, RECREATION AND FACILITIES<br>CITY OF PORTLAND, PORTLAND, MAINE |                   |  |

**Mitchell & Associates**  
LANDSCAPE ARCHITECTS  
P: 207.774.4427  
70 Center Street  
Portland, Maine 04101  
F: 207.271-6560

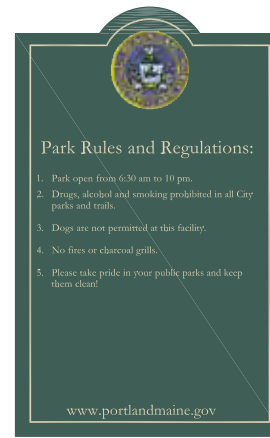




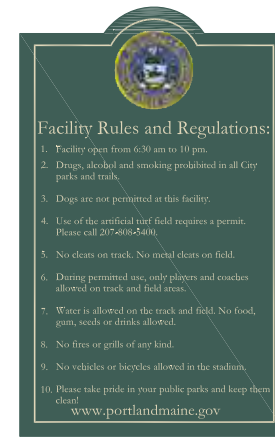
PARK SIGN 1  
DOGS ON LEASH



PARK SIGN 2  
DOG VOICE COMMAND



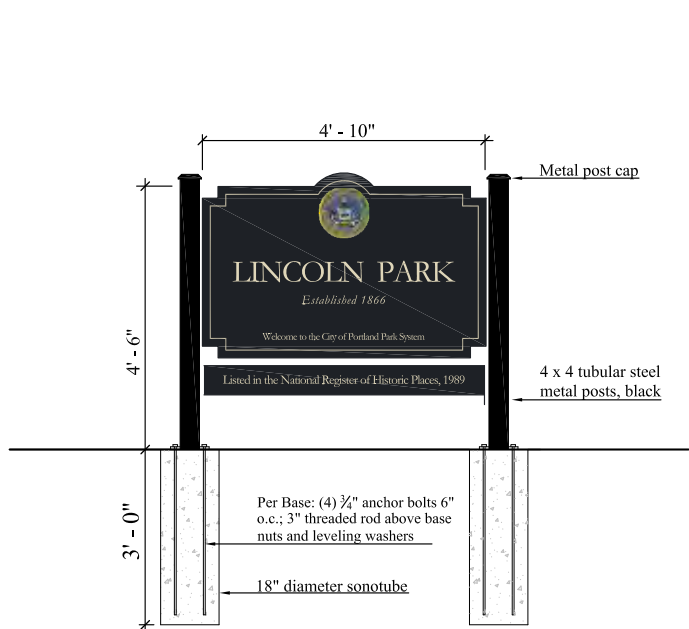
PARK SIGN 3  
NO DOGS



PARK SIGN 4  
STADIUM FACILITY

Mitchell  
& Associates  
LANDSCAPE ARCHITECTS  
70 Centre Street  
Portland, Maine 04101  
P: 207-774-4497  
F: 207-874-2660

Title: REGULATORY SIGNS  
Date: SEPTEMBER 14, 2016  
Project: SIGNAGE PILOT PROJECT -- DEPT. OF PARKS, RECREATION AND FACILITIES  
CITY OF PORTLAND, PORTLAND, MAINE



### 1 SIGN ELEVATION

SCALE: 1" = 2'-0"

#### MATERIAL NOTES:

1. Sign Material: Custom High Pressure Laminate (CHPL)
2. Sign Thickness:  $\frac{1}{2}$ " (12mm)
3. Surface Finish: Matte
4. Core Color: Black

#### SIGN COLOR NOTES:

1. Background Color: R = 30; G = 33; B = 38
2. Text Color: R = 223; G = 214; B = 185
3. Icon Color: R = 99; G = 50; B = 18

#### FONT NOTES:

1. Font Style: Cheltenham
2. Text Sizes:

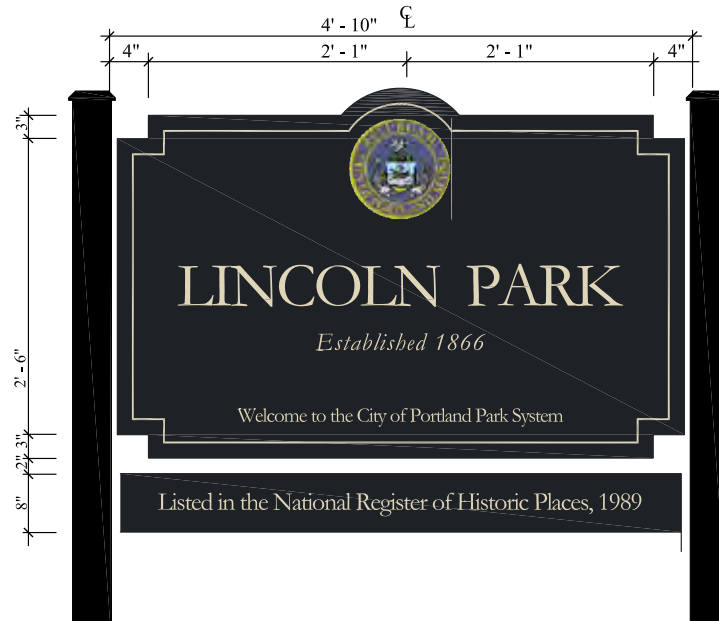
"Back Cove Trail" = 5.25"

"Established" = 2.25"

"Welcome..." = 2.25"

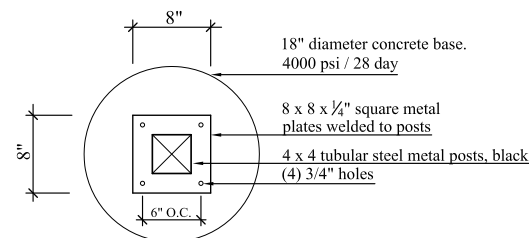
#### MOUNTING BRACKET NOTES:

1. Brackets: 3" x 3" stainless steel "L" brackets;
2. Bracket Quantity per post: main sign (2); icon sign (1)
3. Tamper Resistant Bolts:
  - Button Head Anti-vandal screws
  - 3/4" long x 1/4" - 20 thread
  - Stainless Steel



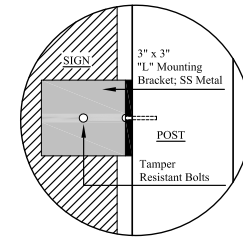
### 2 DETAIL SIGN ELEVATION

SCALE: 1" = 1'-0"



### 3 BASE DETAIL

SCALE: 1" = 1'-0"



### 4 POST DETAIL

SCALE: 1" = 1'-0"

Title: LINCOLN PARK: SIGN ELEVATION

Date: SEPTEMBER 14, 2016 Scale: 1" = 1'-0"

Project: SIGNAGE PILOT PROJECT - DEPT. OF PARKS, RECREATION AND FACILITIES  
CITY OF PORTLAND, PORTLAND, MAINE

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# APPENDIX C.

## **C. Sample Specifications for Historic Walkway Exposed Aggregate Concrete Pavement**

Section 2600  
PAVING AND WALKWAYS

**PART 1 - GENERAL**

**1.1 GENERAL PROVISIONS**

- A. Documents affecting Work of this Section include, but are not necessarily limited to, THE CONDITIONS OF THE CONTRACT General Conditions, Supplementary Conditions, Addenda and all Sections of Division 1, which are hereby made a part of this Section.
- B. Coordinate Work with that of other trades affecting or affected by Work of this Section. Cooperate with such trades to assure the steady progress of the Work.
- C. The "Standard Specifications" referred to herein is the book entitled "*Standard Specifications, Highways and Bridges*" published by the State of Maine Department of Transportation dated April, 1995, as supplemented, excluding the following portions thereof:

DIVISION 100, Sections 102 through 109; NUMERICAL INDEX OF PAYMENT ITEMS INCLUDED IN EACH SECTION.

Those Sections of the aforementioned Standard Specifications which are cited herein are applicable to the Work of this Contract as they may be modified, amplified or added to by this Section.

**1.2 DESCRIPTION OF WORK**

- A. Provide labor, materials, equipment and services necessary for proper and complete installation of all paving, walks, curbing and related items, as indicated on the Drawings and herein specified:
  - 1. Concrete pavement for walks and pads.
  - 2. Bituminous concrete pavement for walkways.
  - 3. Pavement repair.
- B. Related Work specified elsewhere:
  - Integral Color Additive for Sidewalks - Section 2620
  - Concrete Formwork and Reinforcement - Section 2650
  - Site Special Conditions - Section 2100
  - Excavation, Backfill & Compaction - Section 2400
  - Gravel Base Course - Section 2300
  - Storm Drainage Systems - Section 2500
  - Site Improvements - Section 2700
  - Landscaping - Section 2900

**1.3 QUALITY ASSURANCE**

- A. Codes and Standards: The Work under this Section shall conform to the following, except as may be modified herein:

1. American Society for Testing and Materials (ASTM), Standard Specifications and Methods of Testing.
  2. State of Maine, Department of Transportation, Standard Specifications, Highways and Bridges, Latest Edition.
- B. The following specifications, latest edition with current amendments, shall be part of this specification section, even though not fully set forth herein:
1. ACI 301, "Specifications for Structural Concrete for Buildings."
  2. ACI 318-05, "Building Code Requirements for Reinforced Concrete and Commentary."
  3. Other ACI and ASTM specifications noted herein.
- C. The Contractor is responsible for correction of concrete work which does not conform to the specified requirements including strength and tolerance, as directed by the Owner's Representative.
- D. The Owner shall be responsible for performing the following services:
1. To select and pay an approved testing laboratory to perform material evaluation tests, design or verify concrete mixes and test concrete cylinders for strengths.
  2. Notification of concrete placement: The General Contractor shall notify the Owner's Representative forty-eight (48) hours in advance of all concrete placement.
- E. No aluminum conduit, pipe inserts, reglets, etc., shall be placed in any concrete.
- F. No equipment made of aluminum or aluminum alloys shall be used for pump lines, tremies or chutes in conveying concrete to point of placement.

#### 1.4 SUBMITTALS

- A. Furnish samples of manufacturer's product data, test reports, and materials certifications as required for bituminous concrete mixes and structural concrete mix.
- B. Furnish product data for concrete curing and sealing products.
- C. Test Results:
1. Mechanical analysis (ASTM D421), asphalt content (ASTM D2172), and in-place density (ASTM D2041 & D2726) test results for bituminous concrete pavement.
  2. Concrete mix design (ASTM C-94), and in-place test results - slump tests (C-143), air content (C-173), and compressive strength tests (C-31 & C-39) - for concrete sidewalks.
- D. Sample Panel:
1. Provide a 9'± by 5'± sample panel for the concrete walks and pads showing color, surface finish with retarder and sealer, and scoring joints. Sample panel shall be a triangular section of the proposed walkway on the site in two locations shown on the site plan. Area of sample panel 45 square feet ±.

#### 1.5 PRODUCT HANDLING

- A. Store materials properly to prevent damage, deterioration and inclusion of foreign matter. Aggregates shall be stockpiled in a well-drained location.
- B. All asphalt materials and mixes shall be applied at temperatures within their optimum range as defined by MDOT Standard Specifications.

#### 1.6 JOB CONDITIONS

- A. Traffic Control: Maintain access for vehicular and pedestrian traffic as required for normal activities and other construction activities.
- B. Utilize flagmen, barricades, warning signs and warning lights as may be required.
- C. Construct asphalt concrete surface course or leveling course when atmospheric temperature is above 50 degrees F (4 degrees C) and when base is dry. Base course may be placed when air temperature is above 40 degrees F (4 degrees C) and rising. Do not place pavement on frozen gravel base.
- D. Do not place concrete when air temperature is below 40 degrees F. Do not place concrete on frozen ground. Protect concrete from freezing during initial 24-hour cure.
- E. Grade Control: Contractor shall be responsible for establishment and maintenance of required lines, grades, and surface tolerances.

#### 1.7 APPLICABLE CODES, STANDARDS AND SPECIFICATIONS

- A. The Work under this Section shall conform to the following, except as modified herein:
  - 1. American Society for Testing and Materials (ASTM), Standard Specifications and Methods of Testing.
  - 2. State of Maine, Department of Transportation, Standard Specifications, Highways and Bridges, Latest Edition.

### PART 2 - PRODUCTS

#### 2.1 MATERIALS

- A. Bituminous Concrete Paving (Walks): Bituminous materials shall conform to Maine DOT Specifications, Section 702.01, Viscosity Grade AC-20. Nominal asphalt content shall be 6%. Aggregates shall conform to MDOT Specifications 703.09; ½" (12.5 mm) mix Grading D.
- B. Concrete:
  - 1. Mix: Maximum 4 gallons of water per 94-lb. sack of cement.
  - 2. Minimum cement content 564 LB/CY
  - 3. Strength: 4000 psi at 28 days.
  - 4. Air Entrainment: Total air content shall be 6% by volume.
  - 5. Slump: 3" to 4".

6. Shall conform to MDOT Specifications, Section 502.
7. Expansion Joints: In conformance with MDOT Specifications, Section 705.01.
8. Cement: Portland Cement, Type IIA conforming with MDOT Specifications, Section 701.
9. Concrete aggregate shall conform to ASTM C33.
  - a. Fine aggregate shall be a clean, hard sand.
  - b. Coarse aggregate shall be clean, hard-crushed stone or gravel with maximum size indicated in this specification.
- C. Forms: Steel, wood, or other suitable material of size and strength to resist movement during concrete placement and to retain horizontal and vertical alignment until removal. Use straight forms, free of distortion and defects. Use flexible spring steel forms or laminated boards to form radius bends as required. See Section 2650.
- D. Welded Wire Mesh: Welded plain cold-drawn steel wire fabric, ASTM A 185. Furnish in flat sheets, not rolls, unless otherwise acceptable to Architect/Engineer.
- E. Reinforcing Bars: Deformed steel bars, ASTM A 615, Grade 40.
- F. Fabricated Bar Mats: Welded or clip-assembled steel bar or rod mats, ASTM A 184. Use ASTM A 615, Grade 40 steel bars, unless otherwise indicated.
- G. Dowel Bars at Control Joints: Plain steel bars, ASTM A 615, Grade 40. Cut bars true to length with ends square and free of burrs. One end of bar to be wrapped with felt, to allow horizontal movement of joint.
- H. Metal Expansion Caps: Furnish for one end of each dowel bar in expansion joints. Design caps with one end closed and a minimum length of 3 inches to allow bars movement of not less than 1 inch, unless otherwise indicated.
- I. Hook Bolts: ASTM A 307, Grade A bolts, internally and externally threaded. Design hook bolt joint assembly to hold coupling against pavement form and in position during concreting operations, and to permit removal without damage to concrete or hook bolt.
- J. Concrete Mix Design and Testing: Comply with requirements of applicable Division 3 Sections for concrete mix design, sampling and testing, and quality control.
- K. Water: Potable, clean, free from oil, acid, vegetable matter, alkalis, salts and other deleterious substances.
- L. Eclipse shrinkage-reducing admixture manufactured by W.R. Grace shall be added to the concrete mix at the rate of one percent (1%) by weight of cement for slab-on-grade concrete.
- M. Embedded items such as anchor bolts, etc., shall be installed using a template, and be held securely in place during concrete placement.
- N. Non-shrink grout shall be equal to Five Star Grout of U.S. Grout Corporation.
- O. Curing Compound: Brush, roller, or spray-applied curing agent meeting the requirements of ASTM C-309; Cur-to-Spec MS by ProSoCo, Inc., or equal.
- P. Surface retarder for concrete: Retarder compound specifically formulated to create a light sandblast appearance on the surface of the concrete. Top Cast by Dayton Superior #309056 #05 or equivalent.



- Q. Final surface sealing treatment for Concrete: Antispalling compound specifically formulated to protect the concrete from moisture and de-icing salts; Consolideck Saltguard by ProSoCo, Inc., or equivalent.
- R. Color Additive: See Section 2620.

## 2.2 CONCRETE PROPORTIONS:

- A. Proportions of the concrete ingredients shall be established to provide adequate workability and proper consistency to permit the concrete to be worked readily into the forms and around reinforcement, under the conditions of placement to be employed, without excessive segregation or bleeding.
- B. Concrete proportions, including water-cement ratio, shall be established on the basis either of laboratory trial batches, or of field experience with the materials to be employed.
  - 1. When proportioning by field experience and/or trial mixtures is used as the basis for selecting concrete proportions, strength shall be based on the requirements of Section 5.3, Chapter 5 of ACI 318-05.
- C. Before concrete operations start, information from the above shall be furnished to the Owner's Representative for review. Cost of the laboratory tests or compilation of field data shall be borne by the concrete supplier.
- D. All concrete shall be ready-mixed controlled concrete.
- E. Concrete shall have a minimum compressive strength as indicated in Section 3.3.
- F. All concrete exposed to the elements shall be air-entrained with 6% air plus or minus 1%.

## 2.3 MATERIALS MEASUREMENT:

- A. The methods of measuring concrete materials shall be such that the proportion of water to cement and weights of aggregate can be accurately controlled during the progress of the work and checked at any time.
- B. Admixtures shall be dispensed in liquid form through devices that are accurate to a tolerance of 3%, having a visual volumetric device that can be used as a double check by the batcher.

## 2.4 ACI CERTIFIED FLATWORK FINISHERS/TECHNICIANS:

- A. Contractor or subcontractors performing flatwork finishing of concrete walks as outlined in this specification shall provide at least one (1) flatwork finisher or technician currently holding the following certifications:
  - 1. ACI Concrete flatwork finisher/technician

The contractor will submit to the Owner a list of personnel that will provide these services on the project as well as a copy of the individual current ACI certification (wallet certificate).

### **PART 3 - EXECUTION**

#### **3.1 TESTING**

- A. See Item 1.4 of this Section for required tests and test reports.
- B. The Owner's Representative will designate test frequencies and locations.

#### **3.2 BITUMINOUS CONCRETE PAVEMENT**

- A. Scope:
  - 1. Construct course of bituminous concrete pavement for walks on prepared bituminous aggregate, to lines, grades and sections shown on the Drawings for each specific area.
  - 2. Lightly sandblast the walk surface with a walnut shell product. Owner's Representative to review a test area before proceeding with treatment of the entire walk surface.
- B. Construction Methods:
  - 1. Conform to MDOT Specifications, Section 401.16, 401.17, 401.18 and 401.20.
  - 2. Edge of pavement shall be clean and true. Raveled edges not accepted. Hand-tamp edges and bevel if forms or screed strips are not used.
  - 3. Place asphalt concrete mixture on prepared surface, spread and strike-off, by means of self-propelled paver for roads, drives and sidewalks. Spread mixture at minimum temperature of 225 degrees F (107 degrees C). Place inaccessible and small areas by hand. Place to required grade, cross-section, compacted thickness, and surface tolerance (see Item 3.07).
  - 4. Reheat or infrared treat joints between old and new pavements (at saw cuts), or between successive days Work, to ensure continuous bond between adjoining Work. Construct joints to have same texture, density and smoothness as other sections of asphalt concrete course. Clean contact surfaces and apply tack coat.
  - 5. Rolling:
    - a. After the mix has been spread, struck off, and surface irregularities adjusted on each course, it shall be thoroughly compacted by rolling with a powered steel wheel tandem roller weighing not less than 2 or more than 10 tons. Begin rolling as soon as mixture will bear roller weight without excessive displacement.
    - b. Compact mixture with hot hand tampers or vibrating plate compactors in areas inaccessible to rollers.
    - c. Breakdown Rolling: Accomplish breakdown or initial rolling immediately following rolling of joints and outside edge. Check surface after breakdown rolling, and repair displaced areas by loosening and filling, if required, with hot material.
    - d. Second Rolling: Follow breakdown rolling as soon as possible, while mixture is hot. Continue second rolling until mixture has been thoroughly compacted.

- e. Any displacement or irregularities occurring as the result of the reversing of the direction of a roller, or from other causes, shall be corrected at once by the use of rakes or lutes and addition of fresh mixture when required. Care shall be exercised in rolling not to displace the line and grade of the edges of the bituminous mixture.
- f. Finish Rolling: Perform finish rolling while mixture is still warm enough for removal of roller marks. Continue rolling until roller marks are eliminated and course has attained maximum density.
- g. Compaction Tests: After construction, the Owner's Representative will designate locations for removal of pavement cores to determine compaction and thickness. Remove and properly replace pavement in any areas showing deficiencies in required compaction or thickness, with new material properly laid.
- h. Patching: Remove and replace paving areas that become loose, broken or mixed with foreign materials, and any defective or substandard areas. Cut out such areas and fill with fresh, hot asphalt concrete. Compact by rolling to maximum surface density and smoothness.
- i. Protections: After final rolling, do not permit vehicular traffic on pavement until it has cooled and hardened. Erect barricades to protect paving from traffic until mixture has cooled enough not to become marked.

### 3.3 CONCRETE PAVEMENT

#### A. Form Construction:

- 1. Set forms to required grades and lines, rigidly braced and secured. Install sufficient quantity of forms to allow continuous progress of Work and so that forms can remain in place at least 24 hours after concrete placement.
- 2. Refer to Section 2650 for all detailed concrete formwork specifications.
- 3. Before concrete is placed, all equipment for mixing and transporting the concrete shall be clean; all debris, water and ice shall be removed from the space to be occupied by the concrete; forms shall be properly coated, aligned and braced; and reinforcement shall be thoroughly clean of dirt, ice or other material and be adequately tied and supported.

#### B. Addition of Color Additive:

- 1. See Section 2620.

#### C. Concrete Placement:

- 1. General: Concrete shall be conveyed from the mixer to place of final deposit by methods which will prevent the separation or loss of materials. The concrete shall be deposited as nearly as possible in its final position.
  - a. Once concreting has started, it shall be carried on as a continuous operation until the placing of the panel or section is completed.
  - b. All concrete shall be thoroughly consolidated by mechanical vibrating equipment during placement. The concrete shall be thoroughly worked around reinforcement and embedded items and into the corners of the forms.
  - c. When pumping of concrete is to be employed, adequate equipment and personnel shall be on hand to insure a continuous operation.

2. On prepared aggregate base, construct concrete pads, etc. with reinforcing wire mesh and joints as shown on the Plans and detailed in the Drawings.
  3. Forms for walks and pads, etc. shall be smooth, free from warp, of adequate strength to resist springing out of shape, and of proper depth to conform to the thickness of the proposed work. Forms shall be clean and free from dirt, concrete or materials from previous use. Oil all forms prior to placing concrete.
  4. Place clean wire mesh as shown in the details; avoid damaging or moving wires while placing concrete. See Section 2650 for further details.
  5. Concrete walks and pads shall have expansion and score joints as shown on the Plans. Score at horizontal intervals of 6 feet, maximum or as shown on the Plans. Expansion joints shall be full slab depth, and shall include a preformed compressible filler and steel dowel bars, as detailed. Install expansion joints at intervals of not more than 12 ft., at junctions with all structures, and/or where shown on the Plans.
  6. Do not place concrete until subgrade and forms have been checked for line and grade. Moisten subgrade if required to provide a uniform dampened condition at time concrete is placed. Do not place concrete around manholes or other structures until they are at required finish elevation and alignment.
  7. Place concrete using methods which prevent segregation of mix. Consolidate concrete along face of forms and adjacent to transverse joints with internal vibrator. Keep vibrator away from joint assemblies, reinforcement, or side forms. Use only square-faced shovels for hand spreading and consolidation.
  8. Consolidate with care to prevent dislocation of reinforcing, dowels, and joint devices.
  9. Surface finishing shall be performed after all bleed water and/or water sheen has left the surface and the concrete has started to stiffen. Float the surface with appropriate wooden or aluminum float and then finish with steel trowel surface. Surface finish shall be as indicated on the Plans, or as directed by the Owner's Representative. No plastering of the surface with mortar will be permitted.
  10. Concrete shall be cured for at least 72 hour after application of retardants. Protect concrete during initial curing process with moist burlap or polyethylene sheeting, and take precautions to exclude vehicular, pedestrian and animal traffic from the walk surfaces.
  11. Provide sample of concrete pavements for review by Owner and Owner's Representative in the area shown on the plans. Sample shall include examples of scoring, troweling and finishing as indicated on the Plans or as directed by the Owner's Representative.
- D. Surface treatment:
1. As specified herein a surface retarder shall be applied after the concrete is placed and troweled. The retarder will be applied per the manufacturer's directions to create a light sandblast finish on the walks and pads.
  2. After curing, apply an antispalling compound to all concrete surfaces.
  3. Application procedure, surface preparation, precautions and the rate of application shall be in strict compliance with the manufacturer's detailed instructions.

### 3.4 FIELD QUALITY CONTROL

- A. General: Test in-place asphalt concrete courses for compliance with requirements for compaction, thickness and surface smoothness. Repair or remove and replace unacceptable paving as directed by Engineer.
- B. Thickness: After construction, the Owner's Representative will designate locations for removal of pavement cores to determine compaction and thickness. In-place compaction will not be acceptable if less than 93% of theoretical maximum density as determined by ASTM D-2041 and D-2726. In-place compacted thickness will not be acceptable if less than the required thickness, as shown on Drawings for that particular Section, within a tolerance of minus 1/4 inch, as determined by ASTM D-3549.
- C. Surface Smoothness: Test finished surface of the concrete and asphalt for smoothness, using an 10-foot straightedge applied parallel with and at right angles to centerline of paved area, or alternately by flooding. Surfaces will not be acceptable if exceeding the following tolerances for smoothness:

Any irregularities which vary 1/4 of an inch from a true surface in the finished surface course shall be corrected. Any irregularities which vary 3/8 of an inch from a true surface in base or binder course shall be corrected. Irregularities which may develop before the completion of rolling and while the material is still workable, may be remedied by loosening the surface mixture and removing or adding material as necessary. Any unsatisfactory irregularities or defects remaining after final compaction shall be corrected by removing and replacing with new materials, as specified, to form a true and even surface. All minor surface projections, joints and minor honeycombed surfaces shall be ironed out smoothly to grade, as directed. Adequate and approved straight edges shall be furnished and used by the Contractor. If, at any time before the final acceptance of the Work, any damaged, soft, or imperfect places, or spots shall develop in the surface, all such places shall be removed and replaced with new materials and then compacted until the edges at which the new Work connects with the old become invisible.
- D. Concrete testing for concrete shall be carried out at the time the concrete is placed, as specified below. Surface tolerances for concrete shall be 1/8 inch in 10 feet.
  - 1. Testing Testing agencies providing sampling and field testing of concrete as outlined in this specification shall provide field technicians currently holding the following certifications:
    - a. ACI Concrete Field Testing Technician — Grade 1
  - 2. During the concrete placement, standard test cylinders shall be made in accordance with ASTM C172-71 and C31-69. Cylinders shall be marked with location placed and adequately field-cured before shipment to the testing laboratory.
  - 3. Make two (2) cylinders for each 12 cubic yards of concrete placed for the walkways, and four (4) for the fountain basin.
  - 4. Test one cylinder at the end of seven days, one cylinder at the end of 28 days and one cylinder to be held in reserve.

5. Slump and air tests shall be made on the first truck and periodically throughout the day's placement. Slump and air tests shall be made from same batch as test cylinders.

### 3.5 STRENGTH COMPLIANCE:

- A. Concrete strength shall be evaluated on the basis of test cylinder results.
  1. The concrete will be considered satisfactory if the average of all consecutive strength test results equal or exceed the required concrete strength, and no individual test result falls below the required concrete strength by more than 500 psi.
  2. If concrete tests fall more than 500 psi below the concrete strength required, additional testing shall be carried out. Additional testing shall be at the Contractor's expense.

### 3.6 WEATHER PROTECTION:

- A. Concrete shall be protected from rain, sleet, snow or freezing temperatures.
- B. Cold weather concreting shall be done in accordance with the recommendations of ACI 306.
- C. Hot weather concreting shall be done in accordance with the recommendations of ACI 305.

### 3.7 FINISH OF CONCRETE SLABS:

- A. Concrete slabs shall have metal screed, spaced not over 10' on center, set at the elevations shown on the drawings.
- B. Concrete shall be struck to the specified level using a wooden strike-off bar.
  1. Before free moisture rises, the concrete shall be further leveled and consolidated with a wood bull float or darby.
- C. Power or hand floating shall commence next to the fountain basin and other areas likely to stiffen first.
  1. Power floating shall not start until the concrete has stiffened sufficiently to allow proper float operation and the water sheen has disappeared from the concrete surface.
- D. Power trowel after floating, and finally hand trowel to the following tolerances:

Maximum out of level in any ten feet: plus or minus 1/8 inch from the specified finish floor elevation.

  1. Finished surface shall be free of any trowel marks, uniform in texture and appearance, and shall be to the tolerance specified.

### 3.8 SURFACE TREATMENT OF CONCRETE

- A. After hand trowling, apply retardant per the manufacturer's recommendations by spray, and wash the surface per the manufacturer's recommendations.
- B. Notify the Owner's Representative 24 hours before the application of the retardant so that the surface finish can be reviewed and accepted during the initial application of the retardant.
- C. After proper curing, apply the surface sealing compound to the concrete per the manufacturer's recommendations.

### 3.9 CURING OF CONCRETE:

- A. All concrete shall be maintained above 50 degrees F. and in a moist condition for at least seven days.
- B. All slabs shall be saw-cut to a depth of 1/4 the slab thickness immediately after final trowelling.
- C. Concrete slabs shall be kept wet until moisture-proof curing paper has been placed on the slab. Paper should be in place immediately after saw cutting operation is complete.
  - 1. Lap adjoining sheets at least four inches and seal the joints with mastic, glue or pressure-sensitive tape.
  - 2. The curing paper shall remain in place for at least 14 days from date of concrete placement.

### 3.10 PAVEMENT REPAIR

- A. Saw cut around any damaged areas in pavement at a 90° angle to said pavement and in a neat fashion.
- B. Repair any existing pavement damaged during construction activities, including pavement on abutting public streets and highways.
- C. Meet the original subgrade, gravel base and finished grade specifications and elevations.
- D. Match the existing pavement in materials, course thickness, and finishes.

End of Section



Section 2620

INTEGRAL COLOR ADDITIVE FOR SIDEWALKS

**PART I - GENERAL**

1.1 GENERAL PROVISIONS

- A. Documents affecting Work of this Section include, but are not necessarily limited to, the CONDITIONS OF THE CONTRACT General Conditions, Supplementary Conditions, Addenda and all Sections of Division I are hereby made a part of this Section.
- B. Coordinate Work with that of other trades affecting or affected by Work of this Section. Cooperate with such trades to assure the steady progress of the Work.
- C. The "Standard Specifications" referred to herein is the book entitled "*Standard Specifications, Highways and Bridges*" published by the State of Maine Department of Transportation dated April, 1995, as supplemented, excluding the following portions thereof:

DIVISION 100 SECTIONS 102 THROUGH 109 NUMERICAL INDEX OF PAYMENT ITEMS INCLUDED IN EACH SECTION.

Those Sections of the aforementioned Standard Specifications which are cited herein are applicable to the Work of this Contract as they may be modified, amplified or added to by this Section.

1.2 DESCRIPTION OF WORK

- A. Provide labor, materials, equipment and services necessary for proper and complete coloring of the concrete to be used for the sidewalks.
- B. Related Work specified elsewhere:
  - 1. Paving and walkways. Refer to:
    - a. Paving and Walkways - Section 2600.
    - b. Concrete Formwork and Reinforcement - Section 2650.

**PART 2 - REFERENCE STANDARDS**

2.1 Reference Standards

- A. ACI 117 - Tolerance for Concrete Construction and Materials.
- B. ACI 303.1 - Cast-in-Place Architectural Concrete.
- C. ACI 305.1 - Hot Weather Concreting.
- D. ACI 306.1 - Cold Weather Concreting.

- E. ACI 308R - Curing Concrete.
- F. ASTM C979 - Pigments for Integrally Colored Concrete.

## 2.2 PREINSTALLATION MEETING

- A. Preinstallation Conference:
  - 1. Conduct conference with the Owner and Owner's Representative to review procedures required to produce specified results for the color additive to be used for the sidewalks.

## 2.3 SUBMITTALS

- A. Product Data:
  - 1. Prepare manufacturer's information and color samples for the Color Additive to be used in the concrete mix.

## 2.4 QUALITY ASSURANCE

- A. Perform work in accordance with: [ACI 301,] [ACI 303.1, ACI 305.1, ACI 306.1, ACI 318.
- B. Obtain each material from the same source and maintain high degree of consistency in workmanship throughout Project.
- C. Installer Qualifications: Concrete work shall be by firm with five (5) years experience with concrete color additive work of similar scope and quality.
- D. Integrally Colored Concrete Mock-up:
  - 1. Contractor to provide three (3) separate 1 square foot castings of concrete with varying color mix ratios based upon review with the Owner's Representative.
  - 2. Sample panel of concrete walkway to include the color additive at a ratio appropriate to the amount of concrete used in the sample area of the walkway.

## 2.5 DELIVERY, STORAGE, AND HANDLING

- A. Color Additive: Deliver, store, and handle in accordance with manufacturer's instructions.
- B. Concrete: Schedule delivery to provide consistent mix times from time color additive is placed in mixture until placement of integrally colored concrete.

# PART 3 - PRODUCTS

## 3.1 CONCRETE MATERIALS

- A. See Section 2600 Paving and Walkways.

### 3.2 COLOR ADDITIVES

- A. Manufacturer: Davis Colors or Solomon Colors, Inc.
  - 1. Davis Colors Contact Information:
    - a. Phone: 800-356-4848 or 323-269-7311.
    - b. E-mail: [info@daviscolors.com](mailto:info@daviscolors.com).
    - c. Web Site: [www.daviscolors.com](http://www.daviscolors.com).
  - 2. Solomon Colors, Inc. Contact Information:
    - a. Phone: 217-522-3112
    - b. E-mail: [info@solomoncolors.com](mailto:info@solomoncolors.com)
    - c. Web Site: [www.solomoncolors.com](http://www.solomoncolors.com)
  - 3. Substitutions: Are accepted if color additive product is equivalent.
- B. Type:
  - 1. Concentrated powdered pigments specially processed for mixing into concrete and complying with ASTM C979.
  - 2. Color additives containing carbon black are acceptable.
- C. Color Additive Delivery:
  - 1. Manual Dispensing: Use Mix-ready powdered color additives in pre-measured disintegrating bags at amounts established in the sample panel.

### 3.3 MIXING

- A. Slump: Per Section 2600.
- B. Color Additives: Mix in accordance with manufacturer's instructions. Mix until color additives are uniformly dispersed throughout mixture and disintegrating bags, if used, have disintegrated.
- C. Do not retemper mix or add water in field.

### 3.3 CONCRETE COLOR

- A. Concrete Color:
  - 1. #641 Pebble by Davis Colors or similar tone/hue color.
  - 2. Provide color additives that, along with specified concrete materials, result in concrete to match color sample provided by Owner's Representative.

**PART 4 - EXECUTION**

4.1 EXAMINATION

- A. Do not place integrally colored concrete where standing water is present.

4.2 INSTALLATION

- A. Comply with color admixture manufacturer's recommendations unless otherwise specified in this Section to mix color with concrete in the transit mixer.

4.3 APPEARANCE TOLERANCES

- A. Appearance: Minor variations in appearance of integrally colored concrete that are similar to natural variations in color appearance of uncolored concrete are acceptable.

4.4 CLEANING

- A. Efflorescence: Remove efflorescence [as soon as practical after it appears] [and] [as part of final cleaning].
- B. Use least aggressive cleaning techniques possible.
- C. If proprietary cleaning agents are used, pre-wet surface, test cleaning agent on small, inconspicuous area, and check effects prior to proceeding. [At walls, begin cleaning at top and work down.] Thoroughly rinse surface afterwards with clean water. Follow cleaner manufacturer's instructions.
- D. Do not use muriatic or hydrochloric acid on integrally colored concrete.

End of Section

# APPENDIX D.

## D. Order of magnitude cost estimates for priority projects



### **Western Promenade LMP - Priority Projects**

| <u>Item</u> | <u>Qty</u> | <u>Unit</u> | <u>Unit Cost</u> | <u>Subtotal</u> |
|-------------|------------|-------------|------------------|-----------------|
|-------------|------------|-------------|------------------|-----------------|

|                                                               |
|---------------------------------------------------------------|
| <b><u>Switchback walkway maintainability improvements</u></b> |
|---------------------------------------------------------------|

|   |                                             |      |    |            |            |
|---|---------------------------------------------|------|----|------------|------------|
| 1 | Mobilization/demobilization                 | 1    | ls | \$5,000.00 | \$5,000.00 |
| 2 | Erosion control (straw wattle & silt sacks) | 1    | ls | \$5,000.00 | \$5,000.00 |
| 3 | Survey/staking                              | 1    | ls | \$2,500.00 | \$2,500.00 |
| 4 | Demo existing bituminous walkway            | 600  | sf | \$2.00     | \$1,200.00 |
| 5 | Fine grading                                | 1000 | sy | \$8.00     | \$8,000.00 |
| 6 | Adjust existing retaining wall              | 1    | ls | \$3,000.00 | \$3,000.00 |
| 7 | Strip turf & stockpile loam                 | 1000 | sf | \$1.00     | \$1,000.00 |
| 8 | Install bituminous concrete                 | 600  | sf | \$8.00     | \$4,800.00 |
| 9 | Loam and seed                               | 1000 | sf | \$2.00     | \$2,000.00 |

|          |  |  |  |  |             |
|----------|--|--|--|--|-------------|
| SUBTOTAL |  |  |  |  | \$32,500.00 |
|----------|--|--|--|--|-------------|

|                          |            |
|--------------------------|------------|
| General conditions (7%)  | \$2,275.00 |
| Overhead and Profit (8%) | \$2,782.00 |
| Escalation (2%)          | \$751.14   |
| Design contingency (20%) | \$7,661.63 |

|                       |                    |
|-----------------------|--------------------|
| <b>Total Base Bid</b> | <b>\$45,969.77</b> |
|-----------------------|--------------------|

|                         |            |
|-------------------------|------------|
| <u>Design Fee (12%)</u> | \$5,516.37 |
|-------------------------|------------|



### **Western Promenade LMP - Priority Projects**

| <u>Item</u> | <u>Qty</u> | <u>Unit</u> | <u>Unit Cost</u> | <u>Subtotal</u> |
|-------------|------------|-------------|------------------|-----------------|
|-------------|------------|-------------|------------------|-----------------|

#### **Play feature**

|                                                |      |     |              |              |
|------------------------------------------------|------|-----|--------------|--------------|
| 1 Mobilization/demobilization                  | 1    | ls  | \$2,500.00   | \$2,500.00   |
| 2 Strip turf & stockpile loam                  | 3000 | sf  | \$1.00       | \$3,000.00   |
| 3 Earthwork/re-grading                         | 1    | ls  | \$5,000.00   | \$5,000.00   |
| 4 Retaining wall                               | 1    | ls  | \$15,000.00  | \$15,000.00  |
| 5 Playground surfacing (assume fiber mulch)    | 1    | ls  | \$4,000.00   | \$4,000.00   |
| 6 Curbing for playground surfacing (VGC)       | 225  | lf  | \$60.00      | \$13,500.00  |
| 7 Play feature, including artist's time & fees | 1    | ls  | \$125,000.00 | \$125,000.00 |
| 8 Plantings                                    | 1    | ls  | \$8,000.00   | \$8,000.00   |
| 9 Loam and seed                                | 500  | sf  | \$2.00       | \$1,000.00   |
| SUBTOTAL                                       |      | 500 |              | \$177,000.00 |

|                          |             |
|--------------------------|-------------|
| General conditions (7%)  | \$12,390.00 |
| Overhead and Profit (8%) | \$15,151.20 |
| Escalation (2%)          | \$4,090.82  |
| Design contingency (20%) | \$41,726.40 |

|                       |                     |
|-----------------------|---------------------|
| <b>Total Base Bid</b> | <b>\$250,358.43</b> |
|-----------------------|---------------------|

|                         |             |
|-------------------------|-------------|
| <u>Design Fee (12%)</u> | \$30,043.01 |
|-------------------------|-------------|





### **Western Promenade LMP - Priority Projects**

| <u>Item</u> | <u>Qty</u> | <u>Unit</u> | <u>Unit Cost</u> | <u>Subtotal</u> |
|-------------|------------|-------------|------------------|-----------------|
|-------------|------------|-------------|------------------|-----------------|

#### **Seating improvements**

|                                                   |      |    |            |             |
|---------------------------------------------------|------|----|------------|-------------|
| 1 Mobilization/demobilization                     | 1    | ls | \$1,500.00 | \$1,500.00  |
| 2 Demo of exiting non-conforming benches          | 4    | ea | \$150.00   | \$600.00    |
| 3 Demo of existing concrete pads (as appropriate) | 14   | ea | \$150.00   | \$2,100.00  |
| 4 Fine grading                                    | 1500 | sy | \$8.00     | \$12,000.00 |
| 5 Relocating existing benches                     | 10   | ea | \$250.00   | \$2,500.00  |
| 6 New concrete pads                               | 20   | ea | \$500.00   | \$10,000.00 |
| 7 New benches                                     | 10   | ea | \$3,000.00 | \$30,000.00 |
| 8 Removal/pruning of shrubs                       | 1    | ls | \$2,500.00 | \$2,500.00  |
| 9 Loam and seed                                   | 200  | sf | \$2.00     | \$400.00    |

|          |  |  |  |             |
|----------|--|--|--|-------------|
| SUBTOTAL |  |  |  | \$61,600.00 |
|----------|--|--|--|-------------|

|                          |  |             |
|--------------------------|--|-------------|
| General conditions (7%)  |  | \$4,312.00  |
| Overhead and Profit (8%) |  | \$5,272.96  |
| Escalation (2%)          |  | \$1,423.70  |
| Design contingency (20%) |  | \$14,521.73 |

|                       |                    |
|-----------------------|--------------------|
| <b>Total Base Bid</b> | <b>\$87,130.39</b> |
|-----------------------|--------------------|

|                   |     |        |
|-------------------|-----|--------|
| <u>Design Fee</u> | n/a | \$0.00 |
|-------------------|-----|--------|



### **Western Promenade LMP - Priority Projects**

| <u>Item</u> | <u>Qty</u> | <u>Unit</u> | <u>Unit Cost</u> | <u>Subtotal</u> |
|-------------|------------|-------------|------------------|-----------------|
|-------------|------------|-------------|------------------|-----------------|

#### **Walkways improvements & accessibility**

|                                                         |       |    |            |              |
|---------------------------------------------------------|-------|----|------------|--------------|
| 1 Mobilization/demobilization                           | 1     | ls | \$1,500.00 | \$1,500.00   |
| 2 Demo of existing concrete walkways                    | 22000 | sf | \$3.00     | \$66,000.00  |
| 3 Strip turf & stockpile loam at new walkway alignments | 20500 | sf | \$1.00     | \$20,500.00  |
| 4 Fine grading                                          | 525   | sy | \$8.00     | \$4,200.00   |
| 5 Install exposed aggregate concrete walkways           | 22000 | sf | \$15.00    | \$439,575.00 |
| 6 Install concrete walkways                             | 29305 | sf | \$12.00    | \$96,000.00  |
| 7 Install brick sidewalk at Western Cemetery            | 8000  | sf | \$20.00    | \$160,000.00 |
| 8 Loam and seed                                         | 15000 | sf | \$2.00     | \$30,000.00  |
| SUBTOTAL                                                |       |    |            | \$729,775.00 |

|                          |             |
|--------------------------|-------------|
| General conditions (7%)  | \$51,084.25 |
| Overhead and Profit (8%) | \$62,468.74 |
| Escalation (2%)          | \$16,866.56 |
| Design contingency (10%) | \$86,019.45 |

|                       |                     |
|-----------------------|---------------------|
| <b>Total Base Bid</b> | <b>\$946,214.00</b> |
|-----------------------|---------------------|

|                        |             |
|------------------------|-------------|
| <u>Design Fee (5%)</u> | \$47,310.70 |
|------------------------|-------------|



### **Western Promenade LMP - Priority Projects**

| <u>Item</u> | <u>Qty</u> | <u>Unit</u> | <u>Unit Cost</u> | <u>Subtotal</u> |
|-------------|------------|-------------|------------------|-----------------|
|-------------|------------|-------------|------------------|-----------------|

#### **Reintroducing the pavilion**

|                                                         |     |    |              |              |
|---------------------------------------------------------|-----|----|--------------|--------------|
| 1 Mobilization/demobilization                           | 1   | ls | \$5,000.00   | \$5,000.00   |
| 2 Pavilion construction allowance                       | 1   | ls | \$150,000.00 | \$150,000.00 |
| 3 Strip turf & stockpile loam at new walkway alignments | 200 | sf | \$1.00       | \$200.00     |
| 4 Fine grading                                          | 9   | sy | \$8.00       | \$72.00      |
| 5 Install exposed aggregate concrete walkways           | 200 | sf | \$15.00      | \$3,000.00   |
| 6 Loam and seed                                         | 100 | sf | \$2.00       | \$200.00     |

|          |  |  |  |              |
|----------|--|--|--|--------------|
| SUBTOTAL |  |  |  | \$158,472.00 |
|----------|--|--|--|--------------|

|                          |             |
|--------------------------|-------------|
| General conditions (7%)  | \$11,093.04 |
| Overhead and Profit (8%) | \$13,565.20 |
| Escalation (2%)          | \$3,662.60  |
| Design contingency (20%) | \$37,358.57 |

|                       |                     |
|-----------------------|---------------------|
| <b>Total Base Bid</b> | <b>\$224,151.42</b> |
|-----------------------|---------------------|

|                         |             |
|-------------------------|-------------|
| <u>Design Fee (12%)</u> | \$26,898.17 |
|-------------------------|-------------|



### **Western Promenade LMP - Priority Projects**

| <u>Item</u> | <u>Qty</u> | <u>Unit</u> | <u>Unit Cost</u> | <u>Subtotal</u> |
|-------------|------------|-------------|------------------|-----------------|
|-------------|------------|-------------|------------------|-----------------|

#### **Site lighting**

|                                       |      |    |             |              |
|---------------------------------------|------|----|-------------|--------------|
| 1 Mobilization/demobilization         | 1    | ls | \$5,000.00  | \$5,000.00   |
| 2 Demo existing site lights           | 24   | ea | \$600.00    | \$14,400.00  |
| 3 Electrical service, cabinet & panel | 1    | ls | \$10,000.00 | \$10,000.00  |
| 4 Low voltage electrical line         | 9500 | lf | \$20.00     | \$190,000.00 |
| 5 Electrical handhole                 | 75   | ea | \$750.00    | \$56,250.00  |
| 6 New light fixtures with foundations | 75   | ea | \$12,000.00 | \$900,000.00 |
| 7 Loam and seed                       | 500  | sf | \$2.00      | \$1,000.00   |

|          |  |  |  |                |
|----------|--|--|--|----------------|
| SUBTOTAL |  |  |  | \$1,176,650.00 |
|----------|--|--|--|----------------|

|                         |  |             |
|-------------------------|--|-------------|
| General conditions (7%) |  | \$82,365.50 |
|-------------------------|--|-------------|

|                          |  |              |
|--------------------------|--|--------------|
| Overhead and Profit (8%) |  | \$100,721.24 |
|--------------------------|--|--------------|

|                 |  |             |
|-----------------|--|-------------|
| Escalation (2%) |  | \$27,194.73 |
|-----------------|--|-------------|

|                          |  |              |
|--------------------------|--|--------------|
| Design contingency (10%) |  | \$138,693.15 |
|--------------------------|--|--------------|

|                       |                       |
|-----------------------|-----------------------|
| <b>Total Base Bid</b> | <b>\$1,525,624.62</b> |
|-----------------------|-----------------------|

|                        |             |
|------------------------|-------------|
| <u>Design Fee (5%)</u> | \$76,281.23 |
|------------------------|-------------|



### **Western Promenade LMP - Priority Projects**

| <u>Item</u> | <u>Qty</u> | <u>Unit</u> | <u>Unit Cost</u> | <u>Subtotal</u> |
|-------------|------------|-------------|------------------|-----------------|
|-------------|------------|-------------|------------------|-----------------|

#### **Signage**

|                                  |   |    |            |             |
|----------------------------------|---|----|------------|-------------|
| 1 Mobilization/demobilization    | 1 | ls | \$2,500.00 | \$2,500.00  |
| 2 Demolition of existing signage | 1 | ls | \$1,500.00 | \$1,500.00  |
| 3 Park identification signs      | 4 | ea | \$3,500.00 | \$14,000.00 |
| 4 Trailhead signs                | 6 | ea | \$3,500.00 | \$21,000.00 |
| 5 Wayfinding signs               | 6 | ea | \$1,800.00 | \$10,800.00 |
| 6 Interpretive panels            | 4 | ea | \$2,500.00 | \$10,000.00 |

|          |  |  |  |             |
|----------|--|--|--|-------------|
| SUBTOTAL |  |  |  | \$59,800.00 |
|----------|--|--|--|-------------|

|                         |            |
|-------------------------|------------|
| General conditions (7%) | \$4,186.00 |
|-------------------------|------------|

|                          |            |
|--------------------------|------------|
| Overhead and Profit (8%) | \$5,118.88 |
|--------------------------|------------|

|                 |            |
|-----------------|------------|
| Escalation (2%) | \$1,382.10 |
|-----------------|------------|

|                          |             |
|--------------------------|-------------|
| Design contingency (20%) | \$14,097.40 |
|--------------------------|-------------|

|                       |                    |
|-----------------------|--------------------|
| <b>Total Base Bid</b> | <b>\$84,584.37</b> |
|-----------------------|--------------------|

|                         |             |
|-------------------------|-------------|
| <u>Design Fee (12%)</u> | \$10,150.12 |
|-------------------------|-------------|



### **Western Promenade LMP - Priority Projects**

| <u>Item</u> | <u>Qty</u> | <u>Unit</u> | <u>Unit Cost</u> | <u>Subtotal</u> |
|-------------|------------|-------------|------------------|-----------------|
|-------------|------------|-------------|------------------|-----------------|

#### **Tree allée in esplanades**

|                                          |      |    |            |              |
|------------------------------------------|------|----|------------|--------------|
| 1 Mobilization/demobilization            | 1    | ls | \$1,500.00 | \$1,500.00   |
| 2 Removal of existing trees              | 20   | ea | \$800.00   | \$16,000.00  |
| 3 Planting new trees                     | 80   | ea | \$1,500.00 | \$120,000.00 |
| 4 Planting soil                          | 1750 | cy | \$35.00    | \$61,250.00  |
| 5 Plant establishment fencing, relocated | 3500 | lf | \$12.00    | \$42,000.00  |
| 6 Loam and seed                          | 5000 | ls | \$2.00     | \$10,000.00  |
| SUBTOTAL                                 |      |    |            | \$250,750.00 |

|                          |             |
|--------------------------|-------------|
| General conditions (7%)  | \$17,552.50 |
| Overhead and Profit (8%) | \$21,464.20 |
| Escalation (2%)          | \$5,795.33  |
| Design contingency (20%) | \$59,112.41 |

|                       |                     |
|-----------------------|---------------------|
| <b>Total Base Bid</b> | <b>\$354,674.44</b> |
|-----------------------|---------------------|

|                   |     |        |
|-------------------|-----|--------|
| <u>Design Fee</u> | n/a | \$0.00 |
|-------------------|-----|--------|



### **Western Promenade LMP - Priority Projects**

| <u>Item</u>                                                 | <u>Qty</u> | <u>Unit</u> | <u>Unit Cost</u> | <u>Subtotal</u> |
|-------------------------------------------------------------|------------|-------------|------------------|-----------------|
| <b><u>Valley Street park</u></b>                            |            |             |                  |                 |
| 1 Mobilization/demobilization                               | 1          | ls          | \$8,000.00       | \$8,000.00      |
| 2 Survey/staking                                            | 1          | ls          | \$5,000.00       | \$5,000.00      |
| 3 Demo existing basketball court                            | 2100       | sf          | \$2.00           | \$4,200.00      |
| 4 Strip & stockpile                                         | 17500      | ls          | \$1.00           | \$17,500.00     |
| 5 Crown raising and cleaning                                | 2          | day         | \$1,600.00       | \$3,200.00      |
| 6 Selective tree removal                                    | 2          | day         | \$1,600.00       | \$3,200.00      |
| 7 Clearing of understory vegetation                         | 4          | day         | \$1,200.00       | \$4,800.00      |
| 8 Installation of concrete walkways                         | 2000       | 20          | \$10.00          | \$20,000.00     |
| 9 Play components (allowance)                               | 1          | ls          | \$50,000.00      | \$50,000.00     |
| 10 Playground surfacing (assume fiber mulch)                | 1          | ls          | \$6,000.00       | \$6,000.00      |
| 11 Playground fencing (42" vinyl coated CLF)                | 225        | lf          | \$75.00          | \$16,875.00     |
| 12 Curbing for playground surfacing (VGC)                   | 225        | sf          | \$60.00          | \$13,500.00     |
| 13 Dog park surfacing (pea gravel)                          | 575        | cy          | \$60.00          | \$34,500.00     |
| 14 Dog park fencing (42" vinyl coated CLF)                  | 1100       | lf          | \$75.00          | \$82,500.00     |
| 15 Tree planting for dog park                               | 1          | ls          | \$8,000.00       | \$8,000.00      |
| 16 Play components for dog park                             | 1          | ls          | \$15,000.00      | \$15,000.00     |
| 17 Installation of bituminous concrete for basketball court | 2000       | sf          | \$8.00           | \$16,000.00     |
| 18 Basketball court painting                                | 1          | ls          | \$2,500.00       | \$2,500.00      |
| 19 Pavement striping                                        | 1          | ls          | \$1,500.00       | \$1,500.00      |
| 20 Parking signage                                          | 2          | ea          | \$250.00         | \$500.00        |
| 21 Signage (trailhead, wayfinding, park identification)     | 1          | ls          | \$7,500.00       | \$7,500.00      |
| 22 Site amenities (benches, basketball hoop, etc.)          | 1          | ls          | \$12,000.00      | \$12,000.00     |
| 23 Loam and seed                                            | 2000       | sf          | \$2.00           | \$4,000.00      |
| SUBTOTAL                                                    |            |             |                  | \$336,275.00    |



|                          |             |
|--------------------------|-------------|
| General conditions (7%)  | \$23,539.25 |
| Overhead and Profit (8%) | \$28,785.14 |
| Escalation (2%)          | \$7,771.99  |
| Design contingency (20%) | \$79,274.28 |

|                       |                     |
|-----------------------|---------------------|
| <b>Total Base Bid</b> | <b>\$475,645.65</b> |
|-----------------------|---------------------|

|                         |             |
|-------------------------|-------------|
| <u>Design Fee (12%)</u> | \$57,077.48 |
|-------------------------|-------------|



### **Western Promenade LMP - Priority Projects**

| <u>Item</u>                                                       | <u>Qty</u> | <u>Unit</u> | <u>Unit Cost</u> | <u>Subtotal</u>       |
|-------------------------------------------------------------------|------------|-------------|------------------|-----------------------|
| <b><u>Reduction in the roadbed width of Western Promenade</u></b> |            |             |                  |                       |
| 1 Mobilization/demobilization                                     | 1          | ls          | \$2,500.00       | \$2,500.00            |
| 2 Police detail for roadwork                                      | 1          | ls          | \$5,000.00       | \$5,000.00            |
| 3 Sawcut concrete/bit conc                                        | 1          | ls          | \$1,200.00       | \$1,200.00            |
| 4 Mill bituminous concrete                                        | 15000      | sf          | \$1.50           | \$22,500.00           |
| 5 Fine grading                                                    | 900        | sy          | \$8.00           | \$7,200.00            |
| 6 Fill for expanded esplanades                                    | 1800       | cy          | \$20.00          | \$36,000.00           |
| 7 Curb ramp including warning pavers                              | 10         | ea          | \$2,000.00       | \$20,000.00           |
| 8 Cobblestone and granite paver crosswalks                        | 3200       | sf          | \$65.00          | \$208,000.00          |
| 9 Angled cobblestone edging                                       | 8000       | lf          | \$50.00          | \$400,000.00          |
| 10 Bituminous concrete pavement (overlay)                         | 120000     | sf          | \$2.50           | \$300,000.00          |
| 11 Street signs (allowance)                                       | 1          | ea          | \$5,000.00       | \$5,000.00            |
| 12 Loam and seed                                                  | 14400      | sf          | \$2.00           | \$28,800.00           |
| SUBTOTAL                                                          |            |             |                  | \$1,036,200.00        |
| General conditions (7%)                                           |            |             |                  | \$72,534.00           |
| Overhead and Profit (8%)                                          |            |             |                  | \$88,698.72           |
| Escalation (2%)                                                   |            |             |                  | \$23,948.65           |
| Design contingency (20%)                                          |            |             |                  | \$244,276.27          |
| <b>Total Base Bid</b>                                             |            |             |                  | <b>\$1,465,657.65</b> |
| <b><u>Design Fee (5%)</u></b>                                     |            |             |                  | <b>\$73,282.88</b>    |



### **Western Promenade LMP - Priority Projects**

| <u>Item</u>                                    | <u>Qty</u> | <u>Unit</u> | <u>Unit Cost</u> | <u>Subtotal</u> |
|------------------------------------------------|------------|-------------|------------------|-----------------|
| <b><u>Play feature</u></b>                     |            |             |                  |                 |
| 1 Mobilization/demobilization                  | 1          | ls          | \$2,500.00       | \$2,500.00      |
| 2 Strip turf & stockpile loam                  | 3000       | sf          | \$1.00           | \$3,000.00      |
| 3 Earthwork/re-grading                         | 1          | ls          | \$5,000.00       | \$5,000.00      |
| 4 Retaining wall                               | 1          | ls          | \$15,000.00      | \$15,000.00     |
| 5 Playground surfacing (assume fiber mulch)    | 1          | ls          | \$4,000.00       | \$4,000.00      |
| 6 Curbing for playground surfacing (VGC)       | 225        | lf          | \$60.00          | \$13,500.00     |
| 7 Play feature, including artist's time & fees | 1          | ls          | \$125,000.00     | \$125,000.00    |
| 8 Plantings                                    | 1          | ls          | \$8,000.00       | \$8,000.00      |
| 9 Loam and seed                                | 500        | sf          | \$2.00           | \$1,000.00      |
| SUBTOTAL                                       |            | 500         |                  | \$177,000.00    |
| General conditions (7%)                        |            |             |                  | \$12,390.00     |
| Overhead and Profit (8%)                       |            |             |                  | \$15,151.20     |
| Escalation (2%)                                |            |             |                  | \$4,090.82      |
| Design contingency (20%)                       |            |             |                  | \$41,726.40     |

**Total Base Bid \$250,358.43**

**Design Fee (12%) \$30,043.01**



**MEMORANDUM**  
**City Council Agenda Item**

**FROM:** Mary Davis, Division Director

**DATE:** September 3, 2021

**SUBJECT:** Order 56-21/22 Approving a Request for Proposals for the Sale and Development of the Thames Street Lot at Fore Street Connector - Sponsored by the Housing & Economic Development Committee, Councilor Spencer Thibodeau, Chair

**SPONSOR:** Housing and Economic Development Committee, Councilor Spencer Thibodeau, Chair; meeting held on 8/31/2021 and the Vote 4-0 to Forward to the Council for Approval.

**(If sponsored by a Council committee, include the date the committee met and the results of the vote.)**

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading 9/20/2021**

**Final Action 9/20/2021**

**Can action be taken at a later date: Yes .**

**PRESENTATION:** Greg Mitchell, 3 Minutes

**I. SUMMARY**

A public hearing is being held on September 20, 2021, by the City Council to discuss and vote on authorizing the City Manager to issue a Request for Proposals (RFP) to sell the remaining portion of the City-owned Thames Street property, including approximately 24,500 +/- square feet, as shown on the attached map.

**II. AGENDA DESCRIPTION**

The Housing & Economic Development Committee (HEDC) met on August 31, 2021, and voted 4-0 to recommend to the City Council that it approve this proposed Request for Proposals (RFP) for sale of the remaining portion of the Thames Street property.

In 2018/2019, a portion of the Thames Street property was sold through a similar RFP process to support attracting the WEX Headquarters and a new parking garage with 83,000 square feet of commercial space (occupied by WEX and the Roux Institute) located at 100 Fore Street.

Staff's proposed approach, similar to the above, is to solicit proposals for the remaining portion of the Thames Street property (bounded by Mountfort Street right-of-way, Thames Street, the new Connector Road and adjacent to privately owned property which includes the VA Clinic and other tenants) through a public RFP process. HEDC and City Council will have final decision-making over any purchase and sale agreement related to the sale of this property.

Five affirmative votes are required for passage after public comment.

**III. BACKGROUND**

Policy for development in the area surrounding Ocean Gateway is informed by the Master Plan for the Redevelopment of the Eastern Waterfront (Eastern Waterfront Master Plan, EWMP) which provided graphics, schematic plans, and written policies guiding upland and waterfront development. Along with infrastructure and development scenarios, the Master Plan promoted policies for mixed use development, retention of water-side land for marine use, compatibility of new development with neighboring uses, and economically responsible development. Prior to its adoption, the Eastern Waterfront Master Plan was amended with the addition of Design Guidelines and a Building Height Study. Public infrastructure expansion (as partially

implemented by Ocean Gateway with Thames Street and Hancock Street extensions) was a key recommendation of the plan.

The EWMP envisioned a mixed-use build-out of the upland sections of the district establishing a new urban neighborhood based on an expanded street grid, resulting in over a half-million square feet of additional office, retail and residential construction to be supported by additional structured parking. The sale of a portion of the City-owned Thames Street property, through this Request for Proposals, will further the EWMP.

The EWMP was adopted into the City's Comprehensive Plan in 2004, and was amended in 2006. In 2009, the City Council further directed staff to market for sale the City-owned portion of the site that has come to be known as the "Thames Street Lot."

Sale of City-owned Thames Street property located between Hancock Street and Mountfort Street right-of-way was completed through a public RFP proposal process, in 2018/2019, to support attracting the WEX Headquarters and stimulating a new parking garage with 83,000 square feet of commercial space (occupied by WEX and the Roux Institute) located at 100 Fore Street.

Staff's proposed approach is to solicit proposals for the remaining portion of the Thames Street property (bounded by Mountfort Street right-of-way, Thames Street, the new Connector Road and adjacent to privately owned property which includes the VA Clinic and other tenants) through a public RFP process similar to the attached RFP which supported attracting the WEX headquarters. The HEDC and City Council will have final decision-making over any purchase and sale agreement related to the sale of this property.

The recommended approach accomplishes the following:

- **EWMP - Furthers the goals of the EWMP;**
- **Attracts Private Sector Investment and Quality Jobs - Enables Portland to attract private sector investment and associated high quality job creation to the site under existing zoning.**
- **Finalize planning and constructing for possible Mountfort Street Extension;**
- **Secures the portion of the New Connector Road (from Fore Street to City Thames Street connection) to become accepted as a City street to complete the public street grid system in the Eastern Waterfront;**
- **Add one public restroom requirement to new on-site construction;**
- **Request City replacement parking at no cost to the City;**
- **Generate additional property tax revenue for the City which is captured in the existing Waterfront TIF District; and**
- **Receive fair market value for the sale of this property. If the HEDC and City Council agree to proceed with issuance of a RFP and sale of this property, staff recommends that fifty (50) percent of the property sale proceeds be appropriated to the Jill Duson Affordable Housing Trust Fund and fifty (50) percent be appropriated to the Portland Harbor Commons Project.**

#### **IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

Sale and development of the remaining portion of the Thames Street property will:

- Implement long-standing City goals fulfilling the vision of the Eastern Waterfront Master Plan;
- Provide an improved appearance and increased year-round vitality for the Ocean Gateway area; and,
- Promote infill development connecting eastern waterfront development with planned redevelopment of the Portland Foreside Complex.

## **V. FINANCIAL IMPACT**

Sale of this property will generate property sale revenue for the City, attract private sector investment and associated job creation, along with annual property tax revenue to the City. All proposals will be evaluated for the amount of private sector investment and number of quality jobs.

**If the City Council agrees to proceed with issuance of an RFP and sale of this property, staff recommends that fifty (50) percent of the property sale proceeds be appropriated to the Jill C. Duson Affordable Housing Trust Fund and fifty (50) percent be appropriated to the Portland Harbor Commons Project. The HEDC did not vote on this recommendation at its August 31, 2021, meeting.**

## **VI. STAFF ANALYSIS AND BACKGROUND**

Staff recommends the City take advantage of the current strong market position for Portland to place this property on the market to support continued growth of Portland's economy.

Detailed analysis will be done on all proposals, under direction of the HEDC and City Council, to select a development program approach for the City.

## **VII. RECOMMENDATION**

The HEDC reviewed this at its August 31, 2021, meeting and voted 4-0 to recommend to the City Council to vote to authorize the City Manager to issue an RFP to solicit proposals to support development of the remaining portion of the City-owned property on Thames Street. City staff would be responsible to finalize and issue an RFP, which would be similar to the attached RFP utilized to attract the WEX headquarters investment.

## **VIII. LIST ATTACHMENTS**

1. Order Approving a RFP for Sale of Thames Street Lot at Fore Street Connector 9.20.2021
2. Map for CC Memo
3. Proposed RFP for CC Memo

Prepared by:

Mary Davis, Division Director

Date: 09/03/2021



KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW ZARRO (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

MARK DION (5)  
APRIL D. FOURNIER(A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

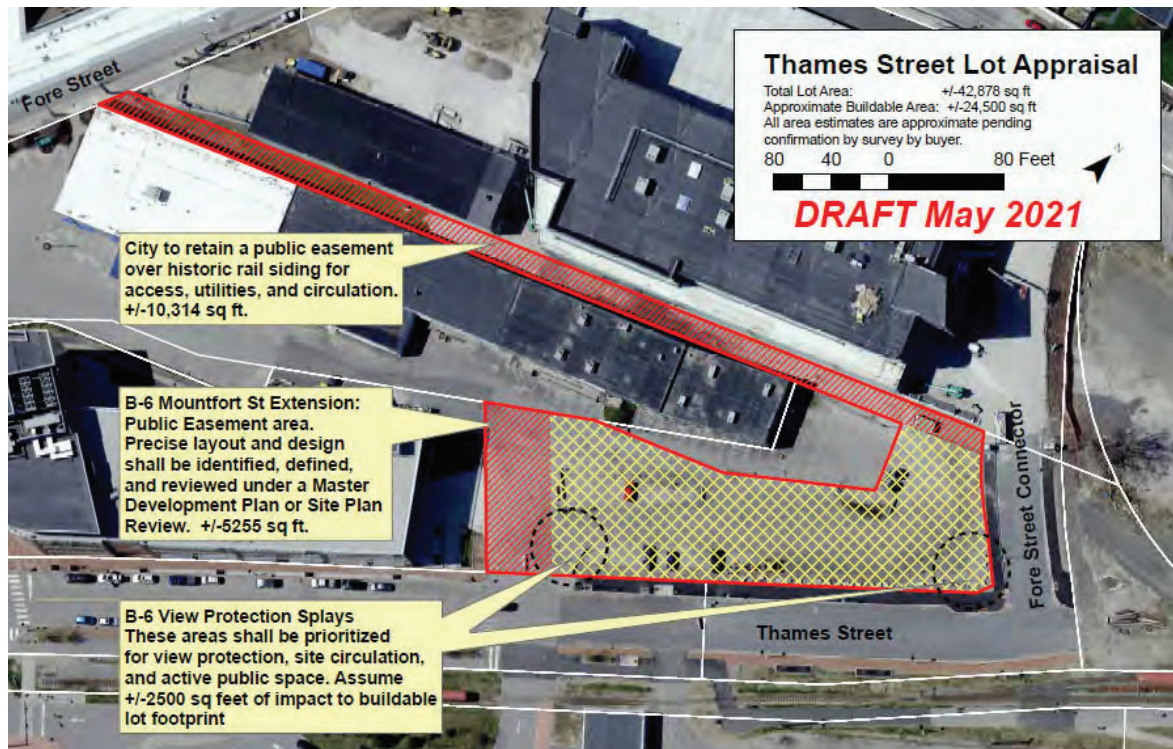
**ORDER APPROVING A REQUEST FOR PROPOSALS FOR THE SALE AND  
DEVELOPMENT OF THAMES STREET LOT AT FORE STREET CONNECTOR**

**ORDERED**, that a Request for Proposals in substantially the form attached hereto is hereby approved to solicit proposals for the sale and development of city-owned property on Thames Street at the Fore Street Connector; and

**BE IT FURTHER ORDERED**, that the City Manager or interim manager or his or her designee is authorized to publish a Request for Proposals in substantially the form attached hereto.



*Subject property site with new WEX office building and parking garage complex in the background*



*Subject site identified as 24,500 sf.*

## IDENTIFICATION OF THE REAL ESTATE

The subject property is located at the northwest corner of Thames Street and the Fore Street Connector in the Eastern Waterfront neighborhood. The subject consists of a hypothetical 24,500 sf. buildable parcel that represents a portion of a larger city-owned tax parcel referenced by the assessor's office as Map 19, Block A, Lot 2. The subject site currently consists of a gravel parking lot. The immediate subject neighborhood represents the epicenter of new development activity within downtown Portland.

**City of Portland, Maine**

**“Sale of Remaining Portion of City Owned Thames Street Property”**

**Request for Proposals**

**NOTICE AND SPECIFICATIONS**

Sealed proposals for furnishing the Housing and Economic Development Department with proposals related to the “Sale of City-Owned Thames Street Property,” as specified herein, will be received by the Purchasing Office, Room 103, City Hall, 389 Congress Street, Portland, Maine 04101, until 3:00 p.m., \_\_\_\_\_ at which time they will be publicly opened. Proposals shall be submitted with the attached forms, and returned in sealed envelopes plainly marked on the outside “Thames Street Proposal”, together with an electronic copy. Proposals that are late and or submitted via tele-facsimile shall not be accepted. All proposals shall be held open to acceptance for sixty days from opening.

All questions **must** be submitted in writing to the Purchasing Office. Questions may be mailed, hand delivered, faxed to (207) 874-8652 or e-mailed to \_\_\_\_\_ and must be received no later than ten (10) business days prior to the opening date. Questions received after this time will not be addressed. Any interpretation, correction or change of this document will be made only by written addenda. Changes in any other manner will not be binding on the City and cannot be relied upon by proposers. Proposers cannot have contact with any City staff with regard to this Request for Proposals except to obtain general public information as specified in the document.

The disposal of this real estate shall be on the basis of a negotiated agreement, with the City of Portland reserving the right to refuse any and all proposals. All proposers are advised that the property will be sold “as-is” and “where is,” in its existing condition, with no warranties to be expressed or implied. The City disclaims any and all responsibility for injury to proposers, their agents or others while examining the property or at any other time. The property will be conveyed by quitclaim deed without covenant.

**INTRODUCTION**

The Eastern Waterfront Master Plan (EWMP) envisioned the build-out of the area establishing a new neighborhood based on a new street grid, with over a half-million square feet of additional office, retail and residential construction to be supported by additional structured parking. The full EWMP, including design guidelines, can be found here: <https://www.portlandmaine.gov/DocumentCenter/View/3391/Eastern-Waterfront--Master-Plan> The sale of a portion of the City-owned Thames Street property, through this Request for Proposals, will further the EWMP.



Use of additional land, either contiguous or non-contiguous to the City property being made available through this RFP, is encouraged in order to best fulfill the development goals described in the EWMP.

### **Thames Street Property Overview**

The property the City is considering selling includes an approximately 24,500 square foot buildable parcel located along Thames Street between the Proposed Mountfort Street Extension and the New Connector Road, which is generally depicted on the attached map (the “Property”).

### **Existing Zoning Summary**

This property is located in the B-6 zoning district, which permits a variety of uses, including residential, office, retail and hospitality. The zoning allows heights of 45 feet as regulated by the B6 Building Height Overlay and Building Envelope Map (B6 Height Overlay.) As shown on the B6 Height Overlay, there are portions of the subject parcel - at the corners of Proposed Mountfort Street Extension and the New Connector Road intersections with Thames Street - that lie outside of the “Key Building Envelope” established within the Overlay. These areas are intended to preserve and create view corridors from public streets to the water. While not available for buildings, these areas may be used for landscaping, plaza space, outside dining, or other similar use.

The B6 Zone is additionally subject to Design Guidelines for the Eastern Waterfront.

*Note: All respondents are responsible for understanding zoning and other requirements for proposed projects prior to submission of proposal. Information included in this RFP is for convenience only, and, to the extent that the information included herein conflicts with applicable laws, rules, ordinances, and regulations, those laws, rules, ordinances, and regulations control.*

*Full zoning requirements are contained in the City’s Land Use Code:*

*<https://www.portlandmaine.gov/DocumentCenter/View/1080/Chapter-14-Land-Use-ReCode--Revised-3152021> and the latest B-6 height overlay is available here:*

*<https://www.portlandmaine.gov/DocumentCenter/View/4866/B6-Zone-Building-Height-Overlay>*

### **Site Utilities**

The selected developer(s) will be responsible for installing all required utilities (including but not limited to water, sanitary sewer, natural gas, electric, phone, and cable) to support development on the Property.

## **SELECTION PROCESS**

Proposals will be reviewed by a city staff Evaluation Committee that will score the proposals based upon the best opportunity for negotiating the highest quality and most appropriate use of the property. The highest scoring respondents to the RFP may be selected for an interview at the discretion of the Evaluation Committee. These firms may be re-scored after the Evaluation Committee has completed its interview process and reviews

any additional information. The staff Committee's scoring will be forwarded to the Portland City Council Housing and Economic Development Committee for its deliberation and subsequent recommendation to the City Council. Any agreement for the sale or other disposition of the Property will be subject to the approval of the Portland City Council.

### **Key Proposal Goals (3)**

1. ***Private Sector Investment.*** The city desires to further the build-out of private sector investment to meet City goals as outlined in the Eastern Waterfront Master Plan, economic development efforts, and community development goals.
2. ***Parking.*** The majority of the Property should be utilized for development. The majority of any new structured parking, located within the Property, if needed, shall be surrounded by active uses and screened from view. All parking facilities, located in the Eastern Waterfront area (not on the Property) should be located within a reasonable walking distance from the Property. ***All proposals shall address City replacement parking needs and accommodate parking requirements for new proposed private investment.***
3. ***Future Streets (New Connector Road and Mountfort Street Extension).*** The area of the Mountfort Street Extension does not allow for new buildings, and is reserved for protection of public views and to retain the possibility of the future extension of the public street network. At this time, the City is not prepared to provide commitments to design and construct Mountfort Street Extension. However, all proposals should address the need for Mountfort Street Extension as a future public right-of-way to support proposed private investment on the Property, to provide for public space amenities and connectivity, and to help fulfil the goals of the EWMP on the portion of City property located between Mountfort Street Extension and the New Connector Road. A public easement has already been provided for a portion of the Mountfort Street Extension off of Fore Street, and the section that is associated with the subject parcel of this RFP shall be designed for compatibility with the public easement. Alternatively, ***creative approaches to meeting the goals of permeability, future easements and accessibility across this block will be considered.***

### **GENERAL INFORMATION**

1. **City Property Location:** Corner of Thames Street and New Connector Road (See attached map.)
2. **General Dimensions:** Portion site under consideration for sale includes 24,500 +/- square feet.
3. **Current use:** Unimproved municipal parking lot.

4. **Condition of the Property at the time of sale:** The Property is within a B-6 Eastern Waterfront Mixed Zone and is being used as a municipal parking lot.
5. **Environmental Conditions:** The City of Portland does not have any specifics with regard to environmental conditions and makes no representations or warranties with respect to the environmental condition of the Property.
6. **License Agreement with adjacent property owner Jack Rabbit, LLC (copy attached):** The City acknowledges the existing License Agreement with Jack Rabbit, LLC which needs to be addressed with the sale of the Property.
7. **Road Extensions (Thames Street, New Connector Road and Possible Mountfort Street Extension):** See attached plan showing the area referred to as the Mountfort Street Extension. Proposals for improvements to the segment of Mountfort Street Extension included in the subject parcel, need to be designed, funded, and constructed by the future property owner.

## PROPOSAL REQUIREMENTS

1. All proposers shall signify, by signing the attached proposal form, that the proposer has read and understands all conditions concerning the development of the land being offered, as outlined in this request for proposals, and that the proposal is made in accordance with this request.
2. Each proposal submitted must specifically outline the proposed development or re-use of the Property and indicate the intended end use(s). At a minimum, the proposal shall include:
  - **Site Concept Plan.** Concept for the proposed use of the Property including end use(s);
  - **Project Timeline.** Timetable from beginning to completion of the development of the Property;
  - **Future Mountfort Street Rights-of-Way.** Any future streets right-of-way needed and offer of property or easements, if applicable;
  - **New Connector Road (from Fore Street to City Thames Street connection).** Proposals should address the commitment to provide the City the necessary right-of-way for the privately owned portion of the New Connector Road for this to be accepted as a public street.
  - **Parking (located on the Property).** Sale of Property will displace upwards of twenty-five (25) parking spaces utilized by City staff and others. Construction of suitable City “replacement parking” must be located within a reasonable

walking distance in the Eastern Waterfront Area from the Property along with plans for all new parking to accommodate new private sector investment. A parking management plan shall be provided showing the proposed locations for all new parking options, including costs, to accommodate City replacement parking needs at no cost for twenty-five (25) City parking spaces. The parking management plan should address public access to parking, weekend/evening hour use of parking, and snow ban parking.

3. Each proposer must present the City with evidence of its financial ability to undertake and complete the project as outlined in its proposal.
4. Responses should include a clear demonstration of the proposer's ability to complete all elements of the project as described in the proposal including a description of the development team and past experience with similar projects, project readiness and timeframe for completion as evidenced by lease commitments or the like, and financial feasibility analyses detailing a development budget, operating pro-formas, and any other provided information.
5. Proposers shall submit 12 hard copies, with the original being so marked, of each proposal, together with an electronic version.
6. Additional data, exhibits, statements, drawings, renderings of buildings, etc., are invited to insure a total understanding and proper evaluation of each proposal by the City.

## SELECTION CRITERIA (5)

### **1. Community Integration as Guided by the Eastern Waterfront Master Plan**

As described above, development proposals should be guided by the Eastern Waterfront Master Plan, which envisioned the build-out of over a half-million square feet of additional office, retail and residential construction. The B6 height overlay map includes requirements for connectivity as well as view creation and preservation at the Proposed Mountfort Street and New Connector Road Thames Street intersections. The B-6 Height Overlay also contains view splays that are meant to aid alignment of existing in new construction for maximum view protection and to aid in creating vibrant public spaces. Proposals should address these requirements. Additionally, the building site/building should incorporate climate change resilient design so the site can accommodate increasing inundation in the coming years. Any successful response to this Request for Proposals will fulfill those goals.

*Document link:* <http://www.portlandmaine.gov/DocumentCenter/Home/View/3391-totheEasternWaterfrontMasterPlan>

### **2. Public Benefit to the City**

The City would like to obtain the most favorable public benefit associated with the sale of this property, and will rate proposals based upon that return. This will mean that a proposal will score higher as it ascribes the greatest value to the city-owned land and



offers the greatest public benefit to the City. In addition, other factors could include, but are not limited to:

- **Net new jobs to the city.** The city desires to attract new full-time, quality (wage compensation, and access to benefits) jobs to the city. Proposals should include estimates of the numbers and types of full-time jobs associated with project private sector investment.
- **Future Possible Mountfort Street Extension Rights-of-Way.** Proposals should address the need for Mountfort Street Extension as a future public right-of-way to support proposed private investment on the City property, to provide for public space amenities and connectivity, along with all required utility easements and to fulfil the goals of the EWMP on the portion of City property located between Mountfort Street Extension and the New Connector Road. Alternative approaches to meeting the goals of permeability and accessibility across this block will be considered.
- ***New Connector Road (from Fore Street to City Thames Street connection).*** Proposals should address the commitment to provide the City the necessary right-of-way for the privately owned portion of the New Connector Road for this to be accepted as a public street.
- **One Public Restroom shall be included in the building concept design.** The selected Developer shall enter into an agreement with the City relating to the provision of a public restroom at the Project site on terms to be negotiated.

### 3. Purchase Price

The City expects to receive Fair Market Value (“FMV”) for the property. A purchase price which is less than fair market value or any request for city support may result in a lower score.

### 4. Additional Financial Benefit to the City

In addition to purchase price, the City will consider other factors providing financial benefit to the City, including but not limited to:

- **Net new property tax revenue.** Estimates for the value of new private construction should be provided with each proposal. The City will review this information to determine an estimated total municipal assessed value for the proposed project and associated property taxes.
- **Parking.** The City replacement parking shall be located in the Eastern Waterfront Area (preferably not on the Thames Street property) to support City replacement parking and to provide opportunities for continued growth of the land side of the Eastern Portland Waterfront. A parking management plan shall be provided showing the proposed locations for all new parking and options including accommodating City replacement parking needs for upwards of twenty-five (25) City parking spaces

at no-cost to the City. The parking management plan should address public access to parking, weekend/evening hour use of parking, and snow ban parking.

#### **5. Proposers Proven Capacity and Relevant Experience**

Responses should clearly demonstrate the proposer's ability to complete all elements of the project as described in the proposal including a description of the development team and past experience with similar projects, project readiness and timeframe for completion as evidenced by lease commitments or the like and financial feasibility analyses detailing a development budget, operating pro-forma, and any other provided information. The City will consider its experiences with any proposer's performance on prior projects in its evaluation of the proposals.

### **SCORING MATRIX**

Subject to the Reservation of Rights as described herein below, the City Council Housing and Economic Development Committee will recommend to the City Council the proposal which in its judgment offers the best opportunity for negotiating the highest quality and most appropriate use of the property, even though such proposal may not contain the highest purchase price offered.

The criteria used for the rating of the Proposals by the Evaluation Committee will include:

1. Community Integration as Guided by the Eastern Waterfront Master Plan (25 Points)
2. Public Benefit to the City (25 Points)
3. Purchase Price (20 Points)
4. Additional Financial Benefits to the City (15 Points)
5. Proposers Proven Capacity and Relevant Experience (15 Points)

### **RFP Evaluation and Timeframe**

The following process will be used:

1. Upon closing of the Request for Proposal application period, all proposals will be reviewed for completeness.
2. All complete proposals will be reviewed under the scoring factors and preference guidelines as described herein. The proposal evaluation committee may confer with the applicants and/or third parties to clarify or verify information and request additional information for the purpose of allowing the evaluation committee to ask questions of the finalists and to further clarify any Proposer's written responses.

3. All complete proposals and scoring information will be forwarded to the City Council's Housing and Economic Development Committee for review and negotiation of a purchase and sale agreement assuming developer selection. The Committee may hold interviews with any, all or none of the proposers. Upon successful negotiation of a purchase and sale agreement, the final recommendation will be forwarded to the full City Council for its review and approval.

Proposers will be notified of the scoring results and all pertinent meeting review dates.

## **CONFIDENTIALITY**

The City of Portland is subject to Maine's Freedom of Access Act (FOAA). Under this law, the City is required to make public information that we receive in the solicitation of proposals. FOAA does, however, have exceptions applicable to certain confidential information. In the event that you believe that the proposal you submit contains any confidential information, you must submit such information in a separate sealed envelope to the City along with your sealed proposal. The outside of this envelope must clearly be marked "Proprietary information/confidential." Such confidential information will only be reviewed by Portland City officials, and only on a "need to know" basis. The City will not disclose such information to a third party, unless it determines that such disclosure is required by law. Prior to disclosing such information, the City will provide you with a reasonable opportunity to seek an injunction or other court order, at your own expense, to prevent such disclosure. The City will not be liable to any proposer or any third party for any disclosure of confidential information.

## **LEGAL REQUIREMENTS**

The Purchase and Sale Agreement for the sale of the Property will be executed only after satisfactory review and final approval by the City Council. At closing, the City shall convey the property by quitclaim deed. There will also be covenants that restrict the re-sale of the property, requires City Council approval of any new owners within a negotiated period of time, or allows the City to repurchase the property in the case of non-performance.

## **RESERVATION OF RIGHTS**

The City reserves the right, at its sole discretion, to reject any and all proposals for the property, based on the quality and merits of the proposals received, or when it is determined to be in the public interest to do so. Furthermore, the city may extend deadlines and timeframes, as needed. The City Council may accept any proposer's proposal, and negotiate a purchase and sale agreement with that proposer even if the proposer does not receive the highest score from the Evaluation Committee.

The City reserves the right to substantiate any Proposer's qualifications, capability to perform, availability, past performance records and to verify that the proposer is current in its financial obligations to the City.

The City reserves the right to waive any informalities in proposals, to accept any proposal or portion thereof, and to reject any and all proposals, should it be in the best in the best interest of the City to do so.

Purchasing Manager

**Appendices**

- Remaining City Thames Street Property Map
- City and Jack Rabbit, LLC License Agreement

## PROPOSAL FORM

### ("Sale of Remaining Portion of City Owned Thames Street Property") RFP #

**\*\* THIS SHEET MUST BE INCLUDED IN YOUR PROPOSAL \*\***

The undersigned hereby declares that he/she or they are the only person(s), firm or corporation interested in this proposal as principal, that it is made without any connection with any other person(s), firm or corporation submitting a proposal for the same, and that no person acting for or employed by the City of Portland is directly or indirectly interested in this proposal or in any anticipated profits which may be derived there from.

The undersigned hereby declares that they have read and understand all conditions as outlined in this Request for Proposals, and that the proposal is made in accordance with the same.

The bidder acknowledges the receipt of Addenda numbered: \_\_\_\_\_

COMPANY NAME: \_\_\_\_\_

AUTHORIZED SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

PRINT NAME & TITLE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_ FAX NUMBER: \_\_\_\_\_

TYPE OF ORGANIZATION - PARTNERSHIP, CORPORATION, LIMITED LIABILITY  
COMPANY, INDIVIDUAL, OTHER:

\_\_\_\_\_

STATE OF INCORPORATION OR ORGANIZATION, IF APPLICABLE:

\_\_\_\_\_

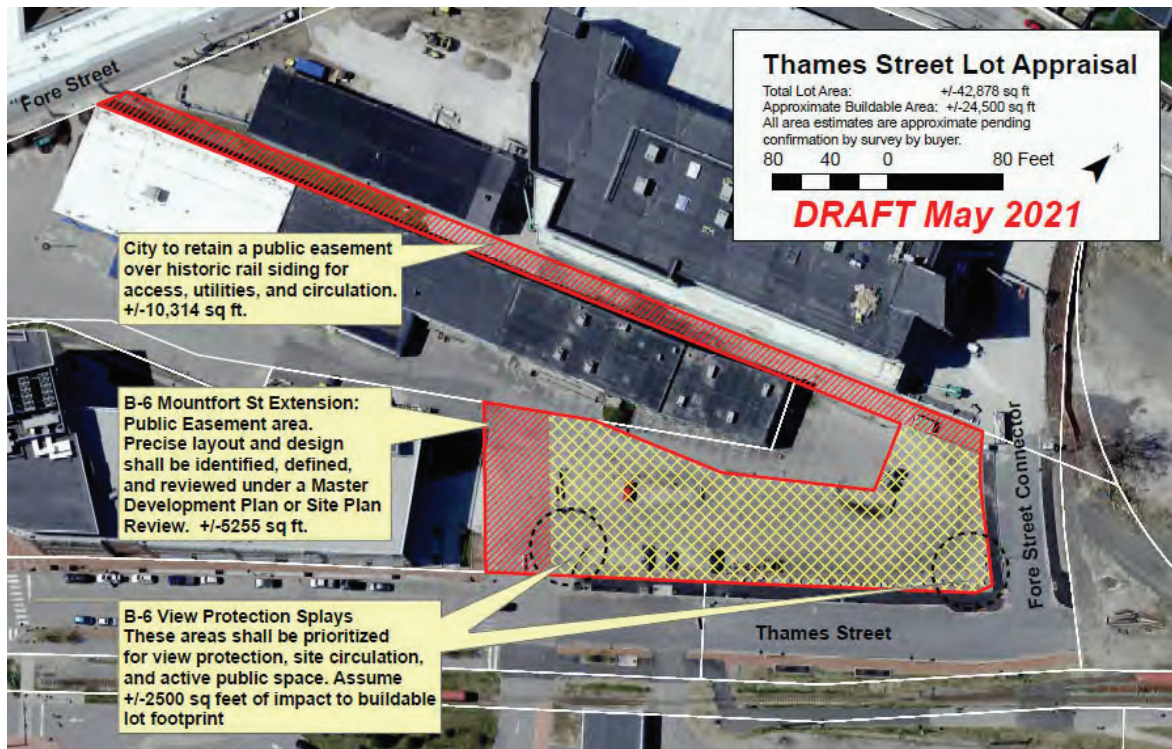
FEDERAL TAX IDENTIFICATION NUMBER (Required): \_\_\_\_\_

NOTE: Proposals must bear the handwritten signature of a duly authorized member or employee of the organization submitting a proposal.





*Subject property site with new WEX office building and parking garage complex in the background*



*Subject site identified as 24,500 sf.*

## IDENTIFICATION OF THE REAL ESTATE

The subject property is located at the northwest corner of Thames Street and the Fore Street Connector in the Eastern Waterfront neighborhood. The subject consists of a hypothetical 24,500 sf. buildable parcel that represents a portion of a larger city-owned tax parcel referenced by the assessor's office as Map 19, Block A, Lot 2. The subject site currently consists of a gravel parking lot. The immediate subject neighborhood represents the epicenter of new development activity within downtown Portland.

## **LICENSE AGREEMENT**

This **LICENSE AGREEMENT** is made between the **City of Portland**, a body corporate and politic located at 389 Congress Street, Portland, Maine (hereinafter the "City"), and **JACKRABBIT, LLC**, a Maine limited liability company with a mailing address of 44 Oak Street, Portland, Maine, 04101 (hereinafter "Jackrabbit").

**WHEREAS**, the City and Jackrabbit each own property adjacent to Jackrabbit's building located at 144 Fore Street in the City of Portland, Maine; and

**WHEREAS**, the City wishes to have access to a portion the Jackrabbit's above-described property (hereinafter the "Jackrabbit Property"), and Jackrabbit wishes to have access to a portion of the City's above-described property (hereinafter the "City Property") for the purposes of vehicular traffic, travel and parking as described in the Agreement;

**NOW THEREFORE**, the City does hereby grant to Jackrabbit, its successors and assigns in ownership of the Jackrabbit Property, a revocable license to enter upon and to use the City Property for the purpose of vehicular traffic and travel, and Jackrabbit does hereby grant to the City, its successors and assigns in ownership of the City Property a revocable license to enter upon and use the Jackrabbit Property for the purpose of vehicular traffic, travel and parking, subject to the following terms and conditions:

1. **Location.** The City Property and Jackrabbit Property are described and delineated in Exhibit A, attached hereto and incorporated herein by reference.

2. **Use of City Property by Jackrabbit.** The City Property shall be used by Jackrabbit as shown on Exhibit A attached hereto for vehicular traffic, travel and minimal parking related to Jackrabbit's ownership and Jackrabbit's and his tenants' and invitees' use of Jackrabbit's building located at 144 Fore Street, only. All of Jackrabbit's parking shall be immediately adjacent to the building located at 144 Fore Street and at either end of the building, as shown on Exhibit A attached hereto. Vehicles shall not block the flow of traffic in the shared travel lane. Any vehicles that park on City Property not in accordance with this paragraph and do not display a City hang tag or permit will be subject to ticketing, booting and towing at the City's discretion. All use of the City's Property by Jackrabbit must be in compliance with state and federal law, and local ordinance, including but not limited to local land use ordinances.

3. **Use of Jackrabbit Property by the City.** The Jackrabbit Property shall be used by the City as shown on Exhibit A attached hereto for vehicular traffic, travel and parking related to the City's activities, including but not limited to providing parking for users of the Eastern Promenade Trail after 5:00 p.m. Monday through Friday and all day on weekends and holidays. All use of the Jackrabbit Property by the City must be in compliance with state and federal law, and local ordinance, including but not limited to local land use ordinances.

4. **Signage.** Jackrabbit agrees to post signs on or around its building located at 144 Fore Street, at its own expense, indicating that parking adjacent to the building is reserved for tenants and customers of the building.

5. **Maintenance.** Jackrabbit shall be responsible for maintenance and repair,



including snow plowing and removal, of the Jackrabbit property and the shared travel lane indicated on Exhibit A. City shall be responsible for maintenance and repair, including snow plowing and removal, of the City property.

6. **No Fees.** Jackrabbit shall be liable for no fees for its use of the City Property in accordance with this License Agreement, and the City shall be liable for no fees for its use of the Jackrabbit Property in accordance with this License Agreement.

7. **Event Revenue.** Jackrabbit shall retain any revenue from parking for special events only for parking spaces located on Jackrabbit property. The City shall retain any revenue from parking for special events for parking spaces located on City property.

8. **Insurance: City.** City is self insured and any claims which are the responsibility of the City under this agreement shall be covered by said self insurance fund.

9. **Insurance: Jackrabbit.** Jackrabbit shall procure and maintain throughout the term of this License Agreement, or provide through its contractor(s), comprehensive general liability insurance in the minimum amount of Four Hundred Thousand Dollars (\$400,000) covering Jackrabbit's activities hereunder and naming the City as an additional insured thereon. In addition, Jackrabbit shall provide evidence of automobile liability insurance in said minimum amount, and workers compensation insurance in the statutory amount, if applicable. All contractors to Jackrabbit performing work under this License shall provide the City with evidence of the above insurance coverages with the City as an additional insured, and workers compensation and employers liability insurance in the statutory amounts which shall have an endorsement waiving subrogation against the City. Such contractor insurance may be in place of that required of Jackrabbit so long as it remains in effect and names the City as an additional insured.

Certificates evidencing such insurance policies shall be delivered to City and shall provide the City with no less than thirty (30) days prior notice of cancellation or non-renewal.

All insurance policies hereunder shall be primary to any insurance, or self-insurance, maintained by City.

10. **Effective Date.** This License is effective as of the date of execution.

11. **Term.** This license shall have a term of ten (10) years and shall automatically continue for successive ten year periods unless the parties agree upon and establish functionally equivalent access to the Jackrabbit Property or the affected portion of it on terms similar to this Agreement as mutually agreed upon by Jackrabbit and the City. If the parties fail to agree, then on written notice from either party any dispute shall first be submitted to nonbinding mediation by a single mediator. If no mediation occurs or if no agreement is reached within 30 days thereafter, then on written notice from either party the dispute shall be submitted to arbitration, to a single arbitrator to be agreed upon within 20 days of the date on which the notice is served. If the parties cannot agree on a single arbitrator then on written notice from either part the dispute shall be submitted to a panel of three arbitrators and the notice shall specify the name and address of the person designated to act as an arbitrator on its behalf. Within 20 days after the service of such notice, the other party shall specify the name and

address of the person designated to act an arbitrator on its behalf. If the other party fails to notify the initiating party of the appointment of its arbitrator within the time above specified, then the appointment of the second arbitrator shall be made by the first arbitrator. The two arbitrators so chosen shall meet within 15 days after the second arbitrator is appointed and if, by 30 days after the date of the appointment of the second arbitrator, the two arbitrators shall not agree upon a resolution of the dispute, they shall together appoint a third arbitrator. The three arbitrators shall meet and render a decision within 30 days after the date of the appointment of the third arbitrator. The decision of a majority of the arbitrators shall be final. All arbitrators appointed must be employed or active in the real estate industry, including without limitation, as managers, real estate brokers, bankers, attorneys, developers, investors or otherwise.

The party's shall share the costs of providing a functionally equivalent access equally, but if the City's proportionate share based on the original square footage of the portion of the access relocated on its land to all of the original square footage of the access from the City to Jackrabbit access is less, then it shall pay the lesser share.

**12. Termination.** In the event either party does not comply with the terms of this Agreement, the aggrieved party must first request the other party to cure the problem. In the event the problem is not cured within thirty (30) days, the party can terminate the Agreement upon thirty (30) days written notice.

Any notice of an Event of Default delivered pursuant section 12 of this license agreement must be sent by certified mail, return receipt requested to Jackrabbit at the address for Jackrabbit set forth above, or at such other address as Jackrabbit may provide to the City in writing from time to time. In addition following a notice sent to the City by certified mail, return receipt requested, by a party identifying itself as the holder of a mortgage on Jackrabbit's Property, the City shall concurrently send such mortgagee a copy of any notice of an Event of Default which the City sends to Jackrabbit.

Notwithstanding any other provision herein, in the event that a notice of an Event of Default is delivered to Jackrabbit pursuant to section 12 hereof, any mortgagee of Jackrabbit's Property who has identified itself to the City shall be entitled to cure such default within the time frames set forth above, and the City agrees to accept such performance by any such mortgagee of Jackrabbit's obligations hereunder.

In the event the adjacent Thames Street Lot, owned by the City, is redeveloped and the use of City Property by Jackrabbit pursuant to this Agreement presents an encumbrance to redevelopment of said lot, the City shall provide Jackrabbit and any mortgagee of Jackrabbit's Property who has identified itself to the City one (1) years notice of termination of this Agreement, provided that the City must provide functionally equivalent access to the Jackrabbit Property on terms similar to this Agreement in order for such notice of termination to be effective.

In the event the City takes by eminent domain proceedings a portion of the Jackrabbit Property necessary for a future extension of Mountfort Street, then this License shall terminate with respect to that portion of the License area necessary for such extension of Mountfort Street, and the City shall not be required to pay damages for such partial

termination or for any increased value of the portion of the Jackrabbit Property so taken attributable to this License Agreement.

**12.No Interest in Land.** The City shall have no authority to modify or make any changes to the Jackrabbit Property subject to this License without the prior consent of Jackrabbit, and Jackrabbit shall have no authority to modify or make any changes to the City Property subject to this License without the prior consent of the City, provided that the parties hereby consent to the changes identified in the City's minor site plan approval issued on August 16, 2010.

13. This Agreement amends and restates in its entirety a prior License Agreement between the parties dated October 14, 2010.

Dated as of January 21<sup>st</sup>, 2011

**JACKRABBIT, LLC**

By: [Signature]  
name: Mike Marino  
its Gen.

**CITY OF PORTLAND**

By: [Signature]  
name: Joseph C. Gray, Jr.  
its City Manager

STATE OF MAINE  
CUMBERLAND, ss.

January 21, 2011

PERSONALLY APPEARED before me the above named Mike Marino in his said capacity, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said limited liability company.

[Signature]  
Notary Public/Attorney-at-Law  
Print name: Barbara J Brewer

STATE OF MAINE  
CUMBERLAND, ss.

January 21, 2011

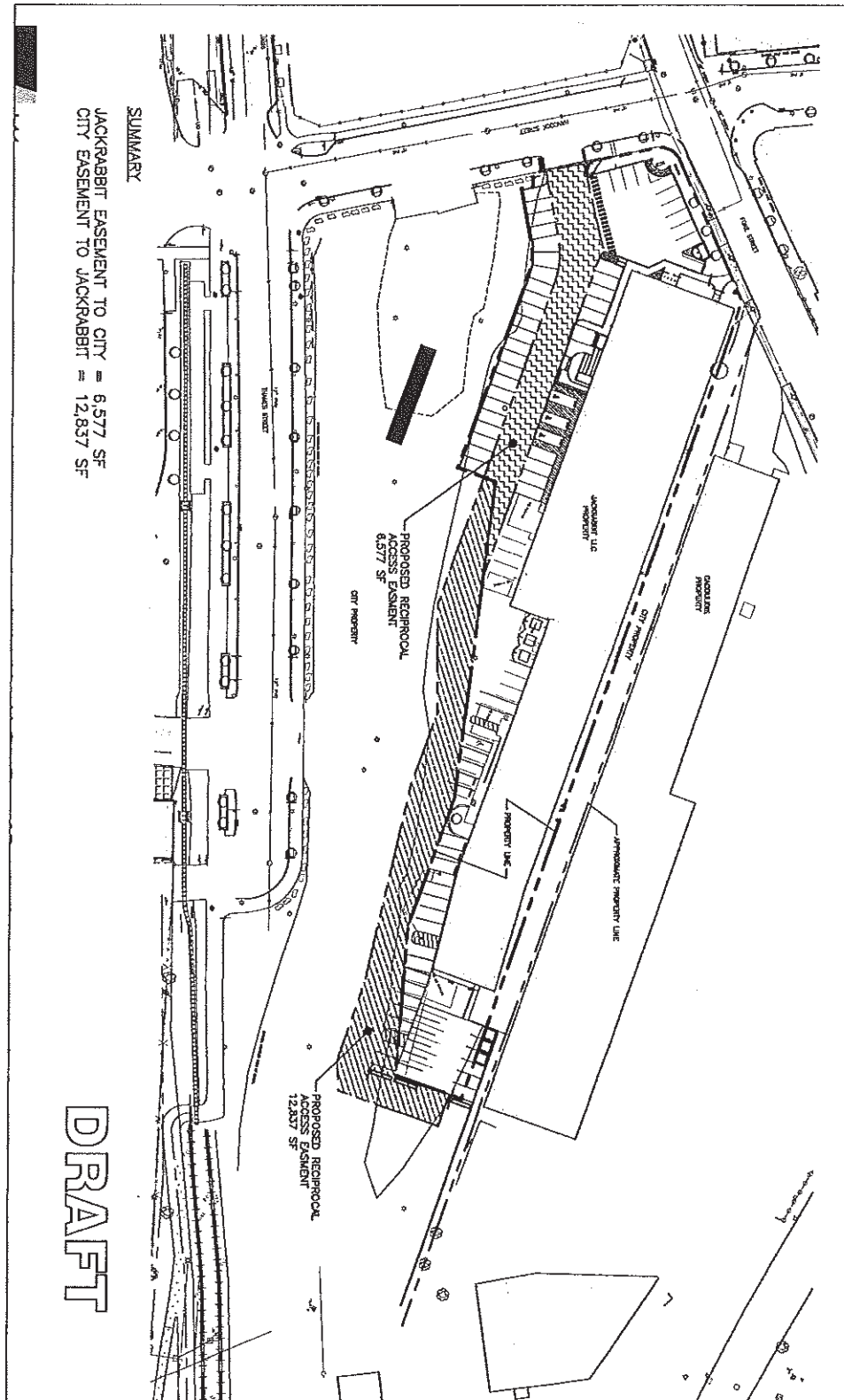
PERSONALLY APPEARED before me the above named Joseph C. Gray, Jr. in his/her said capacity, and acknowledged the foregoing instrument to be his/her free act and deed and the free act and deed of the City of Portland.

[Signature]  
Notary Public/Attorney at Law  
Print name:

License City of Portland Jackrabbit REV LRC 1-11-2011  
1/20/2011 12:10 PM

SONIA T. BEAN  
Notary Public, Maine  
My Commission Expires January 10, 2017 19 of 20

# Exhibit A



## SUMMARY

JACKRABBIT EASEMENT TO CITY = 6,577 SF  
CITY EASEMENT TO JACKRABBIT = 12,837 SF

DRAFT

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:** Mary Davis, Division Director

**DATE:** September 10, 2021

**SUBJECT:** Order 57-21/22 Updating and Establishing Maintenance and Implementation Assessments for Portland Downtown for Fiscal Year 2021-2022 - Sponsored by Jon P. Jennings, City Manager

**SPONSOR:** Jon P. Jennings, City Manager  
(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading 9/20/2021**

**Final Action 9/20/2021**

**Can action be taken at a later date: No The September 20, 2021, public hearing will be advertised in the Portland Press Herald on September 9, 2021.**

**PRESENTATION:** Mary Davis/3 Minutes

**I. SUMMARY**

With the Assessment Revaluation numbers final and completed, it is being requested that the City Council pass an updated Order Establishing Maintenance and Implementation Assessments for Portland Downtown for Fiscal Year 2021-2022 based on actual revaluation assessments, versus estimates at its July 19, 2021, public hearing.

**II. AGENDA DESCRIPTION**

This Order updates the mill rate being used in the special assessment of property in the Portland Downtown (PD) District to \$0.57 per \$1,000 of property value (from \$0.54 per \$1,000 of property value). This update is necessary due to changes in property valuations since Order 299-21/22 was passed on July 19, 2021.

This change is also necessary to raise the funds for PD's FY2022 budget of \$1,036,500.

The Portland Downtown (PD) District was originally established by the City Council on March 16, 1992. Since then, each year in June, for the following fiscal year starting July 1st, City Council authorization to establish the PD District special assessment and approve the related documents is needed.

At the July 19, 2021, City Council meeting, three Orders were approved for PD for FY2022: (1) Adopting the Development Program for the PD; (2) Assessing Maintenance and Implementation Assessments in the PD District; and, (3) authorizing the Agreement for work to be done by PD and work to be done by the City.

Staff recommends that the first reading be waived and the measure passed as an emergency. Seven affirmative votes are required for passage as an emergency after public comment.

**III. BACKGROUND**

The Housing and Economic Development Committee (HEDC) reviewed this item at its May 4, 2021, meeting, and the Committee unanimously (4-0) voted to forward this to the City Council for approval, acknowledging that the final mil rate for the PD Assessment would be forthcoming.

It is noted that the FY2022 budget for PD is \$1,036,500, which remains level from FY2021.

Attached is the updated listing of properties in the PD District, with the completed revaluation net assessments and fees included, which total fee for all properties is matched to meet PD's FY2022 budget of \$1,036,500 (same budget as FY2021).

#### **IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

The intended result is for the City Council to pass the Order Assessing Maintenance and Implementation Assessments but with an updated attachment for the properties in the district and the final revaluation net assessments, and the \$.057 assessment per \$1,000 of property value, versus \$0.54 that was attached to Order #299 on 7/19/2021.

#### **V. FINANCIAL IMPACT**

This year's assessment will be funded from special assessments on all real estate in the current district for an estimated FY2022 PD budget total of \$1,036,500, which remains level from the FY2021 PD budget of \$1,036,500. This would be for the period July 1, 2021 to June 30, 2022. *The proposed FY2022 mil rate to raise this assessment is \$0.57 per \$1,000 of property value in the district. The FY2021 mil rate was \$1.05 cents per \$1,000 of property value in the District; in FY2020, the mil rate was \$1.09; in FY2019, the mil rate was \$1.03 cents per \$1,000 of property value in the expanded district. It is noted that for the prior nine (9) years before FY2019, the PD mil rate had been the same rate of \$.92 cents per \$1,000 of property value in the geographic area before the approved FY2019 geographic expansion of the district.*

#### **VI. STAFF ANALYSIS AND BACKGROUND**

City staff have reviewed the document and recommends that the City Council approve this item.

#### **VII. RECOMMENDATION**

Staff recommends approval of this item.

#### **VIII. LIST ATTACHMENTS**

1. Updating and Establishing FY2022 Portland Downtown Assessments 9.20.2021
2. FY22 PDD Tax Roll 9-2-21 FNL for CC

Prepared by:

Mary Davis, Division Director

Date: 09/10/2021

KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW ZARRO (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

MARK DION (5)  
APRIL D. FOURNIER(A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER UPDATING AND ESTABLISHING MAINTENANCE AND  
IMPLEMENTATION ASSESSMENTS FOR PORTLAND DOWNTOWN FOR FISCAL  
YEAR 2021-2022**

**ORDERED**, pursuant to 30-A M.R.S. § 5228, after public hearing thereon, that the sum of \$1,036,500 be raised and appropriated from the special assessments on all real estate situated within the boundaries of the Downtown Improvement District, Inc. doing business as Portland Downtown, to fund maintenance and implementation costs for such district for the period beginning July 1, 2021 and ending on June 30, 2022, as approved by Order 299-20/21, and that total shall be assessed at the updated rate of \$0.57 per \$1,000 of assessed value in the District according to the list attached hereto.



PORTLAND DOWNTOWN DISTRICT PROPERTY LISTING UPDATE FOR FY2022 ASSESSMENTS

| PARCEL ID   | NUM | STREET         | LAND USE CODE           | OWN1                         | NET ASMT      | FEE @ .57   |
|-------------|-----|----------------|-------------------------|------------------------------|---------------|-------------|
| 021 A001001 | 119 | PEARL ST       | 25:PARKING LOTS         | PEARL CUMBERLAND LLC         | \$ 8,490,000  | \$ 4,839.30 |
| 021 A012001 | 214 | CUMBERLAND AVE | 56:GOVERNMENTAL         | CITY OF PORTLAND             | \$ -          | \$ -        |
| 027 A001001 | 320 | CUMBERLAND AVE | 22:OFFICE BUSINESS      | EAST END CORP                | \$ 10,305,700 | \$ 5,874.25 |
| 027 A012001 | 5   | MONUMENT SQ    | 56:GOVERNMENTAL         | CITY OF PORTLAND             | \$ -          | \$ -        |
| 027 A015001 | 465 | CONGRESS ST    | 22:OFFICE BUSINESS      | CTR CONGRESS LLC             | \$ 8,358,200  | \$ 4,764.17 |
| 027 B001001 | 284 | CUMBERLAND AVE | 56:GOVERNMENTAL         | CITY OF PORTLAND             | \$ -          | \$ -        |
| 027 B002001 | 443 | CONGRESS ST    | 22:OFFICE BUSINESS      | JJR 443 CONGRESS LLC         | \$ 5,851,500  | \$ 3,335.36 |
| 027 B003001 | 9   | ELM ST         | 56:GOVERNMENTAL         | CITY OF PORTLAND             | \$ -          | \$ -        |
| 027 B004001 | 439 | CONGRESS ST    | 27:MULTI-USE COMMERCIAL | METROPOLITAN APARTMENTS LLC  | \$ 8,902,600  | \$ 5,074.48 |
| 027 B005001 | 425 | CONGRESS ST    | 53:RELIGIOUS            | FIRST PARISH IN PORTLAND     | \$ -          | \$ -        |
| 027 B007001 | 415 | CONGRESS ST    | 22:OFFICE BUSINESS      | ASHBY TEAM LLC               | \$ 3,596,900  | \$ 2,050.23 |
| 027 B008001 | 21  | ELM ST         | 56:GOVERNMENTAL         | CITY OF PORTLAND             | \$ -          | \$ -        |
| 027 B009001 | 8   | CHESTNUT ST    | 57:OTHERS EXEMPT BY LAW | MASONIC TRUSTEES OF PORTLAND | \$ -          | \$ -        |
| 027 C002001 | 17  | CHESTNUT ST    | 27:MULTI-USE COMMERCIAL | TRIPOD HOLDINGS LLC          | \$ 796,300    | \$ 453.89   |
| 027 C010001 | 21  | CHESTNUT ST    | 20:COMMERCIAL CONDOS    | HAIR ETC LLC                 | \$ 192,200    | \$ 109.55   |
| 027 C010002 | 21  | CHESTNUT ST    | 20:COMMERCIAL CONDOS    | CHESTNUT STREET LOFTS LLC    | \$ 233,600    | \$ 133.15   |
| 027 C01002E | 21  | CHESTNUT ST    | 10:CONDOMINIUMS         | JORDAN CARA A                | \$ 342,100    | \$ 195.00   |
| 027 C01002N | 21  | CHESTNUT ST    | 10:CONDOMINIUMS         | SMITH DOUGLAS A &            | \$ 318,100    | \$ 181.32   |
| 027 C01002S | 21  | CHESTNUT ST    | 10:CONDOMINIUMS         | MORREL VICTOR &              | \$ 342,100    | \$ 195.00   |
| 027 C01002W | 21  | CHESTNUT ST    | 10:CONDOMINIUMS         | ANDERSON EVAN                | \$ 403,700    | \$ 230.11   |
| 027 C01003E | 21  | CHESTNUT ST    | 10:CONDOMINIUMS         | CASTANEA PRIME LLC           | \$ 367,100    | \$ 209.25   |
| 027 C01003N | 21  | CHESTNUT ST    | 10:CONDOMINIUMS         | TILTON GARRETT K &           | \$ 378,700    | \$ 215.86   |
| 027 C01003S | 21  | CHESTNUT ST    | 10:CONDOMINIUMS         | VELJI REALTY LLC             | \$ 299,500    | \$ 170.72   |
| 027 C01003W | 21  | CHESTNUT ST    | 10:CONDOMINIUMS         | VANHOEWYK JOHN VN VET &      | \$ 372,700    | \$ 212.44   |
| 027 C01004E | 21  | CHESTNUT ST    | 10:CONDOMINIUMS         | BAILEY DONALD B &            | \$ 367,100    | \$ 209.25   |
| 027 C01004N | 21  | CHESTNUT ST    | 10:CONDOMINIUMS         | SEARS STEPHEN D &            | \$ 403,700    | \$ 230.11   |
| 027 C01004S | 21  | CHESTNUT ST    | 10:CONDOMINIUMS         | KAUFMANN CHARLES L           | \$ 367,100    | \$ 209.25   |
| 027 C01004W | 21  | CHESTNUT ST    | 10:CONDOMINIUMS         | NYGAARD DANTON D &           | \$ 378,700    | \$ 215.86   |
| 027 C01005E | 21  | CHESTNUT ST    | 10:CONDOMINIUMS         | FRISONE GIOVANNI &           | \$ 367,100    | \$ 209.25   |
| 027 C01005N | 21  | CHESTNUT ST    | 10:CONDOMINIUMS         | YINDRA SARA R                | \$ 419,000    | \$ 238.83   |
| 027 C01005S | 21  | CHESTNUT ST    | 10:CONDOMINIUMS         | NAQUI MUNIRA Z               | \$ 367,100    | \$ 209.25   |
| 027 C01005W | 21  | CHESTNUT ST    | 10:CONDOMINIUMS         | CURTIN TERESA ANN            | \$ 444,000    | \$ 253.08   |
| 027 C01006E | 21  | CHESTNUT ST    | 10:CONDOMINIUMS         | HAMM LARRY F &               | \$ 367,100    | \$ 209.25   |
| 027 C01006N | 21  | CHESTNUT ST    | 10:CONDOMINIUMS         | SCOTT AURELIA C WID WWII VET | \$ 413,000    | \$ 235.41   |
| 027 C01006S | 21  | CHESTNUT ST    | 10:CONDOMINIUMS         | SCHWELLENBACH JAMES C &      | \$ 342,100    | \$ 195.00   |
| 027 C01006W | 21  | CHESTNUT ST    | 10:CONDOMINIUMS         | BARRY PRUDENCE B             | \$ 419,000    | \$ 238.83   |
| 027 C01007E | 21  | CHESTNUT ST    | 10:CONDOMINIUMS         | HARDING ALICIA &             | \$ 420,500    | \$ 239.69   |

PORTLAND DOWNTOWN DISTRICT PROPERTY LISTING UPDATE FOR FY2022 ASSESSMENTS

| PARCEL ID   | NUM | STREET       | LAND USE CODE           | OWN1                        | NET ASMT     | FEE @ .57   |
|-------------|-----|--------------|-------------------------|-----------------------------|--------------|-------------|
| 027 C01007N | 21  | CHESTNUT ST  | 10:CONDOMINIUMS         | POLLASTRI MICHAEL P &       | \$ 389,600   | \$ 222.07   |
| 027 C01007S | 21  | CHESTNUT ST  | 10:CONDOMINIUMS         | KELLY MARILYN E TRUSTEE     | \$ 505,400   | \$ 288.08   |
| 027 C01007W | 21  | CHESTNUT ST  | 10:CONDOMINIUMS         | GUIGLI MICHAEL              | \$ 448,400   | \$ 255.59   |
| 027 C01008N | 21  | CHESTNUT ST  | 10:CONDOMINIUMS         | COTSIROLOS STEPHANIE G      | \$ 550,400   | \$ 313.73   |
| 027 C01008S | 21  | CHESTNUT ST  | 10:CONDOMINIUMS         | WILLIAMS JAN &              | \$ 480,000   | \$ 273.60   |
| 027 C01008W | 21  | CHESTNUT ST  | 10:CONDOMINIUMS         | BUSQUE PETER J              | \$ 462,300   | \$ 263.51   |
| 027 C0102NW | 21  | CHESTNUT ST  | 10:CONDOMINIUMS         | DUNDAR ERGUN                | \$ 388,300   | \$ 221.33   |
| 027 C0102SE | 21  | CHESTNUT ST  | 10:CONDOMINIUMS         | GAULKE JULIA P &            | \$ 321,800   | \$ 183.43   |
| 027 C0103NW | 21  | CHESTNUT ST  | 10:CONDOMINIUMS         | AVIGNON PIERRE &            | \$ 388,300   | \$ 221.33   |
| 027 C0103SE | 21  | CHESTNUT ST  | 10:CONDOMINIUMS         | CASTANEA PRIME LLC          | \$ 357,500   | \$ 203.78   |
| 027 C0104NW | 21  | CHESTNUT ST  | 10:CONDOMINIUMS         | FRAZER LORINDA JANE TRUSTEE | \$ 388,300   | \$ 221.33   |
| 027 C0104SE | 21  | CHESTNUT ST  | 10:CONDOMINIUMS         | MCEACHERN LAURIE A          | \$ 321,800   | \$ 183.43   |
| 027 C0105NW | 21  | CHESTNUT ST  | 10:CONDOMINIUMS         | MACAVOY FRANCIS E &         | \$ 423,900   | \$ 241.62   |
| 027 C0105SE | 21  | CHESTNUT ST  | 10:CONDOMINIUMS         | MAHON CONOR &               | \$ 375,400   | \$ 213.98   |
| 027 C0106NW | 21  | CHESTNUT ST  | 10:CONDOMINIUMS         | 141 PLEASANT STREET LLC     | \$ 427,100   | \$ 243.45   |
| 027 C0106SE | 21  | CHESTNUT ST  | 10:CONDOMINIUMS         | EISENBERG AVNER &           | \$ 375,400   | \$ 213.98   |
| 027 C011001 | 15  | CHESTNUT ST  | 27:MULTI-USE COMMERCIAL | BOODILLY LLC                | \$ 3,005,200 | \$ 1,712.96 |
| 027 C012001 | 389 | CONGRESS ST  | 56:GOVERNMENTAL         | CITY OF PORTLAND            | \$ -         | \$ -        |
| 027 D001001 | 385 | CONGRESS ST  | 32:WAREHOUSE & STORAGE  | 385 CONGRESS LLC            | \$ 3,760,900 | \$ 2,143.71 |
| 027 F001001 | 50  | MONUMENT SQ  | 22:OFFICE BUSINESS      | THE LANCASTER GROUP LLC     | \$ 9,388,400 | \$ 5,351.39 |
| 027 F002001 | 28  | MONUMENT SQ  | 10:CONDOMINIUMS         | DONNELLY JON PATRICK        | \$ 1,250,300 | \$ 712.67   |
| 027 F002002 | 28  | MONUMENT SQ  | 10:CONDOMINIUMS         | STODDARD ROBERT B &         | \$ 1,010,500 | \$ 575.99   |
| 027 F002003 | 28  | MONUMENT SQ  | 20:COMMERCIAL CONDOS    | 28 MSQ LLC                  | \$ 614,100   | \$ 350.04   |
| 027 F002004 | 28  | MONUMENT SQ  | 20:COMMERCIAL CONDOS    | 28 MSQ LLC                  | \$ 614,100   | \$ 350.04   |
| 027 F002005 | 28  | MONUMENT SQ  | 20:COMMERCIAL CONDOS    | 28 MSQ LLC                  | \$ 181,200   | \$ 103.28   |
| 027 F003001 | 22  | MONUMENT SQ  | 21:RETAIL SERVICES      | STORREY INDUSTRIES LLC      | \$ 2,879,700 | \$ 1,641.43 |
| 027 F004001 | 6   | MONUMENT SQ  | 25:PARKING LOTS         | PARCHEGGIO LLC              | \$ 324,400   | \$ 184.91   |
| 027 F005001 | 18  | MONUMENT SQ  | 27:MULTI-USE COMMERCIAL | 18 MONUMENT PLACE LLC       | \$ 1,230,200 | \$ 701.21   |
| 027 F006001 | 16  | MONUMENT SQ  | 21:RETAIL SERVICES      | 15 MONUMENT SQUARE LLC      | \$ 1,228,200 | \$ 700.07   |
| 027 F009001 | 121 | CENTER ST    | 21:RETAIL SERVICES      | TEDLUM ASSOCIATES LLC       | \$ 3,934,300 | \$ 2,242.55 |
| 027 F011001 | 1   | MONUMENT WAY | 21:RETAIL SERVICES      | CF OMW LLC                  | \$ 7,419,500 | \$ 4,229.12 |
| 027 F014001 | 0   | MONUMENT SQ  | 19:AUXILIARY BUILDINGS  | TWO MONUMENT WAY ASSOCIATES | \$ 202,600   | \$ 115.48   |
| 027 F023001 | 30  | CITY CTR     | 27:MULTI-USE COMMERCIAL | RODWAY PETER E &            | \$ 558,800   | \$ 318.52   |
| 027 F024001 | 28  | CITY CTR     | 21:RETAIL SERVICES      | BROWN J B & SONS            | \$ 558,000   | \$ 318.06   |
| 027 F026001 | 26  | CITY CTR     | 21:RETAIL SERVICES      | BROWN J B & SONS            | \$ 1,093,900 | \$ 623.52   |
| 027 F027001 | 24  | CITY CTR     | 22:OFFICE BUSINESS      | BROWN J B & SONS            | \$ 1,510,000 | \$ 860.70   |
| 027 F028001 | 41  | FREE ST      | 25:PARKING LOTS         | TEDLUM ASSOCIATES LLC       | \$ 233,700   | \$ 133.21   |

PORTLAND DOWNTOWN DISTRICT PROPERTY LISTING UPDATE FOR FY2022 ASSESSMENTS

| PARCEL ID   | NUM | STREET      | LAND USE CODE        | OWN1                           | NET ASMT      | FEE @ .57    |
|-------------|-----|-------------|----------------------|--------------------------------|---------------|--------------|
| 027 F029001 | 23  | FREE ST     | 25:PARKING LOTS      | ONE CITY CENTER ASSOCIATES LLC | \$ 18,240,000 | \$ 10,396.80 |
| 027 G001001 | 456 | CONGRESS ST | 58:LAND BANKS        | CITY OF PORTLAND               | \$ -          | \$ -         |
| 028 A001001 | 380 | CONGRESS ST | 56:GOVERNMENTAL      | CITY OF PORTLAND               | \$ -          | \$ -         |
| 028 B001001 | 350 | CONGRESS ST | 58:LAND BANKS        | CITY OF PORTLAND               | \$ -          | \$ -         |
| 028 E001001 | 168 | FEDERAL ST  | 56:GOVERNMENTAL      | UNITED STATES                  | \$ -          | \$ -         |
| 028 F001001 | 142 | FEDERAL ST  | 56:GOVERNMENTAL      | CUMBERLAND COUNTY OF           | \$ -          | \$ -         |
| 028 K001001 | 77  | MARKET ST   | 21:RETAIL SERVICES   | 85 MARKET STREET LLC           | \$ 2,831,100  | \$ 1,613.73  |
| 028 K002001 | 66  | PEARL ST    | 22:OFFICE BUSINESS   | LEADER PROPERTIES LLC          | \$ 7,334,300  | \$ 4,180.55  |
| 028 K003001 | 75  | MARKET ST   | 22:OFFICE BUSINESS   | WHOLLY COW LLC                 | \$ 6,918,400  | \$ 3,943.49  |
| 028 L002001 | 0   | NEWBURY ST  | 56:GOVERNMENTAL      | CUMBERLAND COUNTY INHABITANTS  | \$ -          | \$ -         |
| 028 L005001 | 75  | PEARL ST    | 20:COMMERCIAL CONDOS | WBFM LLC                       | \$ 2,284,000  | \$ 1,301.88  |
| 028 L00502A | 75  | PEARL ST    | 20:COMMERCIAL CONDOS | WOODMAN BUILDING               | \$ 1,045,400  | \$ 595.88    |
| 028 L00502B | 75  | PEARL ST    | 20:COMMERCIAL CONDOS | WOODMAN BUILDING               | \$ 821,600    | \$ 468.31    |
| 028 L00503A | 75  | PEARL ST    | 20:COMMERCIAL CONDOS | WOODMAN BUILDING               | \$ 644,100    | \$ 367.14    |
| 028 L00503B | 75  | PEARL ST    | 20:COMMERCIAL CONDOS | WOODMAN BUILDING               | \$ 845,200    | \$ 481.76    |
| 028 L00504A | 75  | PEARL ST    | 20:COMMERCIAL CONDOS | WOODMAN BUILDING               | \$ 644,100    | \$ 367.14    |
| 028 L00504B | 75  | PEARL ST    | 20:COMMERCIAL CONDOS | WOODMAN BUILDING               | \$ 1,045,400  | \$ 595.88    |
| 028 L007001 | 131 | MIDDLE ST   | 24:WHOLESALE         | RACLEFF BLOCK LLC              | \$ 3,306,100  | \$ 1,884.48  |
| 028 M001001 | 192 | NEWBURY ST  | 56:GOVERNMENTAL      | CUMBERLAND COUNTY OF           | \$ -          | \$ -         |
| 028 M005001 | 121 | MIDDLE ST   | 21:RETAIL SERVICES   | 123 LLC                        | \$ 5,108,500  | \$ 2,911.85  |
| 028 N001001 | 109 | MIDDLE ST   | 56:GOVERNMENTAL      | CITY OF PORTLAND               | \$ -          | \$ -         |
| 028 N009001 | 115 | MIDDLE ST   | 21:RETAIL SERVICES   | BROTHERS THREE LLC             | \$ 1,266,000  | \$ 721.62    |
| 028 N010001 | 111 | MIDDLE ST   | 21:RETAIL SERVICES   | VENTURE III HOLDINGS LLC       | \$ 373,600    | \$ 212.95    |
| 029 A00101A | 150 | MIDDLE ST   | 20:COMMERCIAL CONDOS | PROSPERITA LLC                 | \$ 901,200    | \$ 513.68    |
| 029 A00101B | 150 | MIDDLE ST   | 20:COMMERCIAL CONDOS | PEG REALTY LLC                 | \$ 820,300    | \$ 467.57    |
| 029 A00101C | 150 | MIDDLE ST   | 20:COMMERCIAL CONDOS | IN FIRM GROUP THE              | \$ 628,700    | \$ 358.36    |
| 029 A00101D | 150 | MIDDLE ST   | 20:COMMERCIAL CONDOS | IN FIRM GROUP THE              | \$ 628,700    | \$ 358.36    |
| 029 A00102A | 150 | MIDDLE ST   | 10:CONDOMINIUMS      | FRANK PATRICK J JR             | \$ 378,700    | \$ 215.86    |
| 029 A00102B | 150 | MIDDLE ST   | 10:CONDOMINIUMS      | SAVATTERI SALVATORE JR &       | \$ 345,000    | \$ 196.65    |
| 029 A00102C | 150 | MIDDLE ST   | 10:CONDOMINIUMS      | MEIL JOAN F &                  | \$ 362,400    | \$ 206.57    |
| 029 A00102D | 150 | MIDDLE ST   | 10:CONDOMINIUMS      | TREGONING DAVID C TRUSTEE      | \$ 350,400    | \$ 199.73    |
| 029 A00102E | 150 | MIDDLE ST   | 10:CONDOMINIUMS      | ERNEST PAUL W &                | \$ 380,100    | \$ 216.66    |
| 029 A00102F | 150 | MIDDLE ST   | 10:CONDOMINIUMS      | MORRISSETTE CAROL ANN          | \$ 379,000    | \$ 216.03    |
| 029 A00102G | 150 | MIDDLE ST   | 10:CONDOMINIUMS      | KIRK CHARLES M                 | \$ 303,700    | \$ 173.11    |
| 029 A00102H | 150 | MIDDLE ST   | 10:CONDOMINIUMS      | JOHNS F ARTHUR T               | \$ 398,400    | \$ 227.09    |
| 029 A00102I | 150 | MIDDLE ST   | 10:CONDOMINIUMS      | STERLING JANN D &              | \$ 342,300    | \$ 195.11    |
| 029 A00102J | 150 | MIDDLE ST   | 10:CONDOMINIUMS      | MILLS S PETER                  | \$ 315,600    | \$ 179.89    |

PORTLAND DOWNTOWN DISTRICT PROPERTY LISTING UPDATE FOR FY2022 ASSESSMENTS

| PARCEL ID   | NUM | STREET    | LAND USE CODE        | OWN1                     | NET ASMT     | FEE @ .57 |
|-------------|-----|-----------|----------------------|--------------------------|--------------|-----------|
| 029 A00102K | 150 | MIDDLE ST | 10:CONDOMINIUMS      | MILLS S PETER            | \$ 366,600   | \$ 208.96 |
| 029 A00103A | 150 | MIDDLE ST | 10:CONDOMINIUMS      | NELSON JEANNE            | \$ 423,900   | \$ 241.62 |
| 029 A00103B | 150 | MIDDLE ST | 10:CONDOMINIUMS      | ZHAO MIN &               | \$ 362,200   | \$ 206.45 |
| 029 A00103C | 150 | MIDDLE ST | 10:CONDOMINIUMS      | AHP CAMDEN LLC           | \$ 380,500   | \$ 216.89 |
| 029 A00103D | 150 | MIDDLE ST | 10:CONDOMINIUMS      | AHP CAMDEN LLC           | \$ 367,900   | \$ 209.70 |
| 029 A00103E | 150 | MIDDLE ST | 10:CONDOMINIUMS      | ROBERTS MATTHEW          | \$ 399,100   | \$ 227.49 |
| 029 A00103F | 150 | MIDDLE ST | 10:CONDOMINIUMS      | M & B 101 INC            | \$ 397,900   | \$ 226.80 |
| 029 A00103G | 150 | MIDDLE ST | 10:CONDOMINIUMS      | M & B 101 INC            | \$ 345,200   | \$ 196.76 |
| 029 A00103H | 150 | MIDDLE ST | 10:CONDOMINIUMS      | HENDERSON HAROLD L &     | \$ 348,600   | \$ 198.70 |
| 029 A00103I | 150 | MIDDLE ST | 10:CONDOMINIUMS      | HARDING WILLIAM TRUSTEE  | \$ 334,400   | \$ 190.61 |
| 029 A00103J | 150 | MIDDLE ST | 10:CONDOMINIUMS      | SCHAFER KAREN            | \$ 331,400   | \$ 188.90 |
| 029 A00103K | 150 | MIDDLE ST | 10:CONDOMINIUMS      | MACBRIDE JENNIFER L      | \$ 384,900   | \$ 219.39 |
| 029 A00104A | 150 | MIDDLE ST | 10:CONDOMINIUMS      | BIXBY DOUGLAS B &        | \$ 398,900   | \$ 227.37 |
| 029 A00104B | 150 | MIDDLE ST | 10:CONDOMINIUMS      | TURNER SCOTT H &         | \$ 362,200   | \$ 206.45 |
| 029 A00104C | 150 | MIDDLE ST | 10:CONDOMINIUMS      | CAMP PETER S             | \$ 380,500   | \$ 216.89 |
| 029 A00104D | 150 | MIDDLE ST | 10:CONDOMINIUMS      | GUTWIN JOHN D &          | \$ 342,900   | \$ 195.45 |
| 029 A00104E | 150 | MIDDLE ST | 10:CONDOMINIUMS      | GIUSTRA PETER E TRUSTEE  | \$ 399,100   | \$ 227.49 |
| 029 A00104F | 150 | MIDDLE ST | 10:CONDOMINIUMS      | WINSLOW DARREN R &       | \$ 411,500   | \$ 234.56 |
| 029 A00104G | 150 | MIDDLE ST | 10:CONDOMINIUMS      | GIARRAPUTO CYNTHIA R &   | \$ 345,200   | \$ 196.76 |
| 029 A00104H | 150 | MIDDLE ST | 10:CONDOMINIUMS      | 150 MIDDLE LLC           | \$ 373,600   | \$ 212.95 |
| 029 A00104I | 150 | MIDDLE ST | 10:CONDOMINIUMS      | GARCIA DORA &            | \$ 359,400   | \$ 204.86 |
| 029 A00104J | 150 | MIDDLE ST | 10:CONDOMINIUMS      | GREENZWEIG NEIL TRUSTEE  | \$ 331,400   | \$ 188.90 |
| 029 A00104K | 150 | MIDDLE ST | 10:CONDOMINIUMS      | ZANARDI MARIAGRAZIA      | \$ 384,900   | \$ 219.39 |
| 029 A00105A | 150 | MIDDLE ST | 20:COMMERCIAL CONDOS | MIRS PROPERTIES LLC      | \$ 1,408,900 | \$ 803.07 |
| 029 A00105B | 150 | MIDDLE ST | 10:CONDOMINIUMS      | DUNKERLY ALLAN S TRUSTEE | \$ 1,013,300 | \$ 577.58 |
| 029 A0010BA | 150 | MIDDLE ST | 20:COMMERCIAL CONDOS | 100 SILVER STREET LLC    | \$ 470,900   | \$ 268.41 |
| 029 A0010BB | 150 | MIDDLE ST | 20:COMMERCIAL CONDOS | 100 SILVER STREET LLC    | \$ 470,900   | \$ 268.41 |
| 029 A001P01 | 150 | MIDDLE ST | 10:CONDOMINIUMS      | DUNKERLY MARY V          | \$ 28,500    | \$ 16.25  |
| 029 A001P02 | 150 | MIDDLE ST | 10:CONDOMINIUMS      | GIUSTRA PETER E TRUSTEE  | \$ 28,500    | \$ 16.25  |
| 029 A001P03 | 150 | MIDDLE ST | 10:CONDOMINIUMS      | ROBERTS MATTHEW          | \$ 28,500    | \$ 16.25  |
| 029 A001P04 | 150 | MIDDLE ST | 10:CONDOMINIUMS      | MIRS PROPERTIES LLC      | \$ 28,500    | \$ 16.25  |
| 029 A001P05 | 150 | MIDDLE ST | 10:CONDOMINIUMS      | MIRS PROPERTIES LLC      | \$ 28,500    | \$ 16.25  |
| 029 A001P06 | 150 | MIDDLE ST | 10:CONDOMINIUMS      | IN FIRM GROUP THE        | \$ 28,500    | \$ 16.25  |
| 029 A001P07 | 150 | MIDDLE ST | 10:CONDOMINIUMS      | IN FIRM GROUP THE        | \$ 28,500    | \$ 16.25  |
| 029 A001P08 | 150 | MIDDLE ST | 10:CONDOMINIUMS      | GIARRAPUTO CYNTHIA R &   | \$ 28,500    | \$ 16.25  |
| 029 A001P09 | 150 | MIDDLE ST | 10:CONDOMINIUMS      | MCGOLDRICK RICHARD J     | \$ 28,500    | \$ 16.25  |
| 029 A001P10 | 150 | MIDDLE ST | 10:CONDOMINIUMS      | FRANK PATRICK J JR       | \$ 28,500    | \$ 16.25  |

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| PARCEL ID   | NUM | STREET    | LAND USE CODE        | OWN1                          | NET ASMT     | FEE @ .57   |
|-------------|-----|-----------|----------------------|-------------------------------|--------------|-------------|
| 029 A001P11 | 150 | MIDDLE ST | 10:CONDOMINIUMS      | FRANK PATRICK J JR            | \$ 28,500    | \$ 16.25    |
| 029 A001P12 | 150 | MIDDLE ST | 10:CONDOMINIUMS      | INFIRM GROUP                  | \$ 28,500    | \$ 16.25    |
| 029 A001P13 | 150 | MIDDLE ST | 10:CONDOMINIUMS      | MILLS S PETER                 | \$ 28,500    | \$ 16.25    |
| 029 A001P14 | 150 | MIDDLE ST | 10:CONDOMINIUMS      | ERNEST PAUL W &               | \$ 28,500    | \$ 16.25    |
| 029 A001P15 | 150 | MIDDLE ST | 10:CONDOMINIUMS      | BIXBY DOUGLAS B &             | \$ 28,500    | \$ 16.25    |
| 029 A001P16 | 150 | MIDDLE ST | 10:CONDOMINIUMS      | MACBRIDE JENNIFER L           | \$ 28,500    | \$ 16.25    |
| 029 A001P17 | 150 | MIDDLE ST | 10:CONDOMINIUMS      | CAMP PETER S                  | \$ 28,500    | \$ 16.25    |
| 029 A001P18 | 150 | MIDDLE ST | 10:CONDOMINIUMS      | PROSPERITA LLC                | \$ 28,500    | \$ 16.25    |
| 029 A001P19 | 150 | MIDDLE ST | 10:CONDOMINIUMS      | PROSPERITA LLC                | \$ 28,500    | \$ 16.25    |
| 029 A001P20 | 150 | MIDDLE ST | 10:CONDOMINIUMS      | AHP CAMDEN LLC                | \$ 28,500    | \$ 16.25    |
| 029 A001P21 | 150 | MIDDLE ST | 10:CONDOMINIUMS      | DUNKERLY ALLAN S &            | \$ 28,500    | \$ 16.25    |
| 029 A001P22 | 150 | MIDDLE ST | 10:CONDOMINIUMS      | MIRS PROPERTIES LLC           | \$ 28,500    | \$ 16.25    |
| 029 A001P23 | 150 | MIDDLE ST | 10:CONDOMINIUMS      | MIRS PROPERTIES LLC           | \$ 28,500    | \$ 16.25    |
| 029 A001P24 | 150 | MIDDLE ST | 10:CONDOMINIUMS      | MIRS PROPERTIES LLC           | \$ 28,500    | \$ 16.25    |
| 029 A001P25 | 150 | MIDDLE ST | 10:CONDOMINIUMS      | MIRS PROPERTIES LLC           | \$ 28,500    | \$ 16.25    |
| 029 A001P26 | 150 | MIDDLE ST | 10:CONDOMINIUMS      | MIRS PROPERTIES LLC           | \$ 28,500    | \$ 16.25    |
| 029 A001P27 | 150 | MIDDLE ST | 10:CONDOMINIUMS      | HARDING WILLIAM TRUSTEE       | \$ 28,500    | \$ 16.25    |
| 029 A001P28 | 150 | MIDDLE ST | 10:CONDOMINIUMS      | SHIPYARD INC                  | \$ 28,500    | \$ 16.25    |
| 029 A001P29 | 150 | MIDDLE ST | 10:CONDOMINIUMS      | SHIPYARD INC                  | \$ 28,500    | \$ 16.25    |
| 029 A003001 | 5   | MILK ST   | 22:OFFICE BUSINESS   | 5 MILK STREET LLC             | \$ 4,228,800 | \$ 2,410.42 |
| 029 B001001 | 37  | SILVER ST | 21:RETAIL SERVICES   | WITT-T LLC                    | \$ 923,800   | \$ 526.57   |
| 029 B002001 | 4   | MILK ST   | 22:OFFICE BUSINESS   | 4 MILK MHR LLC                | \$ 2,896,600 | \$ 1,651.06 |
| 029 B003001 | 25  | SILVER ST | 25:PARKING LOTS      | PORTLAND REGENCY INC          | \$ 901,300   | \$ 513.74   |
| 029 B004001 | 341 | FORE ST   | 10:CONDOMINIUMS      | JACKSON MICHAEL               | \$ 351,400   | \$ 200.30   |
| 029 B004002 | 341 | FORE ST   | 10:CONDOMINIUMS      | O'CONNOR DENNIS R III &       | \$ 320,700   | \$ 182.80   |
| 029 B004003 | 341 | FORE ST   | 10:CONDOMINIUMS      | FORE STREET COMMONS LLC       | \$ 365,000   | \$ 208.05   |
| 029 B004004 | 341 | FORE ST   | 10:CONDOMINIUMS      | CHILDS DONNA W                | \$ 365,800   | \$ 208.51   |
| 029 B004005 | 341 | FORE ST   | 10:CONDOMINIUMS      | PENDERS JOHN F IV             | \$ 323,600   | \$ 184.45   |
| 029 B004006 | 341 | FORE ST   | 10:CONDOMINIUMS      | STEPHENSON CHRISTOPHER J      | \$ 363,500   | \$ 207.20   |
| 029 B004007 | 341 | FORE ST   | 10:CONDOMINIUMS      | ALAGIC SUAD                   | \$ 326,400   | \$ 186.05   |
| 029 B004008 | 341 | FORE ST   | 10:CONDOMINIUMS      | DALTON JENNIFER L             | \$ 326,100   | \$ 185.88   |
| 029 B004009 | 341 | FORE ST   | 10:CONDOMINIUMS      | HAAPALA BRIAN R &             | \$ 668,600   | \$ 381.10   |
| 029 B004010 | 341 | FORE ST   | 20:COMMERCIAL CONDOS | BOOTHBY SQUARE PROPERTIES LLC | \$ 452,100   | \$ 257.70   |
| 029 B004011 | 341 | FORE ST   | 20:COMMERCIAL CONDOS | BOOTHBY SQUARE PROPERTIES LLC | \$ 339,100   | \$ 193.29   |
| 029 C001001 | 340 | FORE ST   | 10:CONDOMINIUMS      | ADB REALTY LLC                | \$ 229,000   | \$ 130.53   |
| 029 C001002 | 340 | FORE ST   | 10:CONDOMINIUMS      | HAYEK LEE-ANN COLLINS TRUSTEE | \$ 209,900   | \$ 119.64   |
| 029 C001003 | 340 | FORE ST   | 10:CONDOMINIUMS      | 207 INVESTS LLC               | \$ 336,700   | \$ 191.92   |

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|-------------|-----|-----------------|--------------------------|--------------------------------|---------------|--------------|
| 029 C001004 | 340 | FORE ST         | 20:COMMERCIAL CONDOS     | ABD REALTY LLC                 | \$ 261,000    | \$ 148.77    |
| 029 C001005 | 340 | FORE ST         | 20:COMMERCIAL CONDOS     | ADB REALTY LLC                 | \$ 152,700    | \$ 87.04     |
| 029 C002001 | 336 | FORE ST         | 21:RETAIL SERVICES       | DOCK FORE INC                  | \$ 498,500    | \$ 284.15    |
| 029 C003001 | 334 | FORE ST         | 21:RETAIL SERVICES       | PORT CITY APARTMENTS           | \$ 674,300    | \$ 384.35    |
| 029 C005001 | 330 | FORE ST         | 21:RETAIL SERVICES       | J & R VENTURES LLC             | \$ 936,000    | \$ 533.52    |
| 029 C006001 | 3   | GOLD ST         | 20:COMMERCIAL CONDOS     | GOLD STREET PROPERTIES LLC     | \$ 362,600    | \$ 206.68    |
| 029 C006002 | 1   | GOLD ST         | 20:COMMERCIAL CONDOS     | ADNERB PROPERTIES LLC          | \$ 287,000    | \$ 163.59    |
| 029 C006003 | 320 | FORE ST         | 20:COMMERCIAL CONDOS     | FORE STREET INVESTMENTS LLC    | \$ 353,200    | \$ 201.32    |
| 029 C006004 | 320 | FORE ST         | 20:COMMERCIAL CONDOS     | FORE STREET INVESTMENTS LLC    | \$ 365,400    | \$ 208.28    |
| 029 C006005 | 320 | FORE ST         | 20:COMMERCIAL CONDOS     | FORE STREET INVESTMENTS LLC    | \$ 243,600    | \$ 138.85    |
| 029 C006006 | 320 | FORE ST         | 20:COMMERCIAL CONDOS     | FORE STREET INVESTMENTS LLC    | \$ 275,400    | \$ 156.98    |
| 029 C006007 | 320 | FORE ST         | 20:COMMERCIAL CONDOS     | FORE STREET INVESTMENTS LLC    | \$ 652,800    | \$ 372.10    |
| 029 D001001 | 129 | COMMERCIAL ST   | 21:RETAIL SERVICES       | RSB LIMITED LIABILITY COMPANY  | \$ 1,399,600  | \$ 797.77    |
| 029 D002001 | 121 | COMMERCIAL ST   | 22:OFFICE BUSINESS       | MAD COW LLC                    | \$ 579,800    | \$ 330.49    |
| 029 D003001 | 111 | COMMERCIAL ST   | 22:OFFICE BUSINESS       | BLANCHARD BLOCK LLC            | \$ 2,854,900  | \$ 1,627.29  |
| 029 E001001 | 130 | MIDDLE ST       | 22:OFFICE BUSINESS       | ELC LIMITED LIABILITY COMPANY  | \$ 6,980,700  | \$ 3,979.00  |
| 029 E006001 | 100 | MIDDLE ST       | 22:OFFICE BUSINESS       | ALBANY ROAD-PORTLAND LLC       | \$ 24,179,400 | \$ 13,782.26 |
| 029 E007001 | 291 | FORE ST         | 21:RETAIL SERVICES       | 291 FORE STREET LLC            | \$ 1,863,200  | \$ 1,062.02  |
| 029 E009001 | 25  | PEARL ST        | 27:MULTI-USE COMMERCIAL  | 25 PEARL MHR LLC               | \$ 23,040,000 | \$ 13,132.80 |
| 029 E012001 | 277 | FORE ST         | 25:PARKING LOTS          | 287 FORE STREET LLC            | \$ 634,700    | \$ 361.78    |
| 029 E016001 | 31  | PEARL ST        | 22:OFFICE BUSINESS       | 130 LIMITED LIABILITY COMPANY  | \$ 7,440,900  | \$ 4,241.31  |
| 029 E019001 | 0   | FRANKLIN ST     | 56:GOVERNMENTAL          | CITY OF PORTLAND               | \$ -          | \$ -         |
| 029 E026001 | 100 | MIDDLE ST       | 22:OFFICE BUSINESS       | ALBANY ROAD-PORTLAND LLC       | \$ 22,842,600 | \$ 13,020.28 |
| 029 G001001 | 99  | COMMERCIAL ST   | 56:GOVERNMENTAL          | UNITED STATES                  | \$ -          | \$ -         |
| 029 K001001 | 7   | CUSTOM HOUSE ST | 22:OFFICE BUSINESS       | OLYMPIA EQUITY                 | \$ 8,203,000  | \$ 4,675.71  |
| 029 K002001 | 288 | FORE ST         | 21:RETAIL SERVICES       | EAST BROWN COW LIMITED         | \$ 1,753,200  | \$ 999.32    |
| 029 K003001 | 65  | COMMERCIAL ST   | 23:HOTEL & MOTEL         | OLYMPIA EQUITY INVESTORS V LLC | \$ 31,863,200 | \$ 18,162.02 |
| 029 K005001 | 280 | FORE ST         | 22:OFFICE BUSINESS       | BANGOR SAVINGS BANK            | \$ 15,211,400 | \$ 8,670.50  |
| 029 K006001 | 300 | FORE ST         | 40:VACANT LAND           | OLYMPIA EQUITY                 | \$ 995,500    | \$ 567.44    |
| 029 K006002 | 300 | FORE ST         | 55:LITERARY & SCIENTIFIC | COUNCIL INTERNATIONAL STUDY    | \$ -          | \$ -         |
| 029 K00601A | 300 | FORE ST         | 55:LITERARY & SCIENTIFIC | COUNCIL INTERNATIONAL STUDY    | \$ -          | \$ -         |
| 029 K00601B | 300 | FORE ST         | 55:LITERARY & SCIENTIFIC | CIEE INC                       | \$ -          | \$ -         |
| 029 K0060B2 | 300 | FORE ST         | 20:COMMERCIAL CONDOS     | OLYMPIA EQUITY                 | \$ 98,000     | \$ 55.86     |
| 029 K0060B3 | 300 | FORE ST         | 20:COMMERCIAL CONDOS     | OLYMPIA EQUITY                 | \$ 70,000     | \$ 39.90     |
| 029 O001011 | 99  | SILVER ST       | 10:CONDOMINIUMS          | ARENSBERG LEE C TRUSTEE        | \$ 274,600    | \$ 156.52    |
| 029 O001012 | 99  | SILVER ST       | 10:CONDOMINIUMS          | TOZESKI DAVID P                | \$ 271,300    | \$ 154.64    |
| 029 O001013 | 99  | SILVER ST       | 10:CONDOMINIUMS          | HOLSTEIN ERIC B                | \$ 276,100    | \$ 157.38    |



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|-------------|-----|-----------|----------------------|-------------------------------|--------------|-------------|
| 029 0001021 | 99  | SILVER ST | 10:CONDOMINIUMS      | THOMS DEBORAH L               | \$ 265,500   | \$ 151.34   |
| 029 0001023 | 99  | SILVER ST | 10:CONDOMINIUMS      | ANYA ROSE LLC                 | \$ 347,700   | \$ 198.19   |
| 029 0001024 | 99  | SILVER ST | 10:CONDOMINIUMS      | ARNDT CHANNING P              | \$ 262,800   | \$ 149.80   |
| 029 0001025 | 99  | SILVER ST | 10:CONDOMINIUMS      | LINCOLN STREET PROERTIES LLC  | \$ 246,000   | \$ 140.22   |
| 029 0001026 | 99  | SILVER ST | 10:CONDOMINIUMS      | GOMES ERIN ELIZABETH          | \$ 252,900   | \$ 144.15   |
| 029 0001028 | 99  | SILVER ST | 10:CONDOMINIUMS      | GOODMAN ISAAC D &             | \$ 295,500   | \$ 168.44   |
| 029 0001029 | 99  | SILVER ST | 10:CONDOMINIUMS      | COUSINS DAVID A               | \$ 290,200   | \$ 165.41   |
| 029 0001031 | 99  | SILVER ST | 10:CONDOMINIUMS      | JAMESON PAUL G &              | \$ 281,400   | \$ 160.40   |
| 029 0001032 | 99  | SILVER ST | 10:CONDOMINIUMS      | BOROWSKI ROBERT B             | \$ 285,200   | \$ 162.56   |
| 029 0001033 | 99  | SILVER ST | 10:CONDOMINIUMS      | ARTISTWANNABE LLC             | \$ 285,200   | \$ 162.56   |
| 029 0001034 | 99  | SILVER ST | 10:CONDOMINIUMS      | BERG HENRY T TRUSTEE          | \$ 285,200   | \$ 162.56   |
| 029 0001035 | 99  | SILVER ST | 10:CONDOMINIUMS      | HIGGINS HELENA C &            | \$ 313,700   | \$ 178.81   |
| 029 0001036 | 99  | SILVER ST | 10:CONDOMINIUMS      | FINCH ANNIE &                 | \$ 296,100   | \$ 168.78   |
| 029 0001037 | 99  | SILVER ST | 10:CONDOMINIUMS      | LUTKOFF ISAAC E               | \$ 252,500   | \$ 143.93   |
| 029 0001038 | 99  | SILVER ST | 10:CONDOMINIUMS      | ZURKAN WILLIAM K              | \$ 246,900   | \$ 140.73   |
| 029 0001039 | 99  | SILVER ST | 10:CONDOMINIUMS      | SOREL-LEDUC SANDRA J &        | \$ 258,200   | \$ 147.17   |
| 029 0001041 | 99  | SILVER ST | 10:CONDOMINIUMS      | LINCOLN STREET PROPERTIES LLC | \$ 292,800   | \$ 166.90   |
| 029 0001042 | 99  | SILVER ST | 10:CONDOMINIUMS      | STEBBINS BRADY                | \$ 267,800   | \$ 152.65   |
| 029 0001043 | 99  | SILVER ST | 10:CONDOMINIUMS      | HIGGINS CHRISTOPHER S         | \$ 312,200   | \$ 177.95   |
| 029 0001044 | 99  | SILVER ST | 10:CONDOMINIUMS      | LITTLEJOHN CLIFTON T          | \$ 262,900   | \$ 149.85   |
| 029 0001045 | 99  | SILVER ST | 10:CONDOMINIUMS      | DG CONDO 4 LLC                | \$ 285,200   | \$ 162.56   |
| 029 0001046 | 99  | SILVER ST | 10:CONDOMINIUMS      | VAN PEURSEM CORINNE M         | \$ 285,200   | \$ 162.56   |
| 029 0001047 | 99  | SILVER ST | 10:CONDOMINIUMS      | KASSEL GRANT D                | \$ 236,300   | \$ 134.69   |
| 029 0001048 | 99  | SILVER ST | 10:CONDOMINIUMS      | PEEL BRUCE H                  | \$ 237,600   | \$ 135.43   |
| 029 0001049 | 99  | SILVER ST | 10:CONDOMINIUMS      | CHISHOLM ADAM C               | \$ 226,600   | \$ 129.16   |
| 029 0001210 | 99  | SILVER ST | 10:CONDOMINIUMS      | LINCOLN STREET PROPERTIES LLC | \$ 243,300   | \$ 138.68   |
| 029 0001211 | 99  | SILVER ST | 10:CONDOMINIUMS      | GINTER DAVID R                | \$ 235,000   | \$ 133.95   |
| 029 0001212 | 99  | SILVER ST | 10:CONDOMINIUMS      | SILVER VICTORIA J             | \$ 223,500   | \$ 127.40   |
| 029 0001213 | 99  | SILVER ST | 10:CONDOMINIUMS      | PROSSER JAMES G               | \$ 243,700   | \$ 138.91   |
| 029 0001310 | 99  | SILVER ST | 10:CONDOMINIUMS      | HEALY ROBERT E &              | \$ 263,500   | \$ 150.20   |
| 029 0001410 | 99  | SILVER ST | 10:CONDOMINIUMS      | SMITH GARY R &                | \$ 290,700   | \$ 165.70   |
| 029 0001501 | 99  | SILVER ST | 10:CONDOMINIUMS      | KATZ JAMES &                  | \$ 471,000   | \$ 268.47   |
| 029 0001502 | 99  | SILVER ST | 20:COMMERCIAL CONDOS | PEAK 5 EQUITIES LLC           | \$ 651,400   | \$ 371.30   |
| 029 0001B01 | 99  | SILVER ST | 10:CONDOMINIUMS      | CHANDLER BENJAMIN P           | \$ 269,900   | \$ 153.84   |
| 029 0001B02 | 99  | SILVER ST | 10:CONDOMINIUMS      | JOHNSON BEN A                 | \$ 269,900   | \$ 153.84   |
| 029 0002001 | 164 | MIDDLE ST | 21:RETAIL SERVICES   | NDA 164 MIDDLE STREET LLC     | \$ 1,926,000 | \$ 1,097.82 |
| 029 0003001 | 43  | MARKET ST | 25:PARKING LOTS      | PORTLAND REGENCY INC          | \$ 550,100   | \$ 313.56   |



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|-------------|-----|---------------|-------------------------|-------------------------------|---------------|--------------|
| 029 O004001 | 11  | MILK ST       | 25:PARKING LOTS         | PORTLAND REGENCY INC          | \$ 219,300    | \$ 125.00    |
| 029 R001001 | 20  | MILK ST       | 23:HOTEL & MOTEL        | PORTLAND REGENCY INC          | \$ 24,629,100 | \$ 14,038.59 |
| 029 S001001 | 145 | COMMERCIAL ST | 22:OFFICE BUSINESS      | FLEMING CREEK LLC ETALS       | \$ 10,705,900 | \$ 6,102.36  |
| 029 S002001 | 145 | COMMERCIAL ST | 56:GOVERNMENTAL         | CITY OF PORTLAND              | \$ -          | \$ -         |
| 030 A005001 | 94  | COMMERCIAL ST | 21:RETAIL SERVICES      | BMC INC                       | \$ 2,040,000  | \$ 1,162.80  |
| 030 A101001 | 90  | COMMERCIAL ST | 21:RETAIL SERVICES      | PROPRIETORS OF CUSTOM HOUSE   | \$ 472,600    | \$ 269.38    |
| 030 C001001 | 100 | COMMERCIAL ST | 27:MULTI-USE COMMERCIAL | SOLEY WHARF LLC               | \$ 11,797,700 | \$ 6,724.69  |
| 030 D001001 | 68  | COMMERCIAL ST | 22:OFFICE BUSINESS      | MAINE WHARF LLC               | \$ 6,961,500  | \$ 3,968.06  |
| 030 D003001 | 70  | COMMERCIAL ST | 22:OFFICE BUSINESS      | FLATBREAD WHARF LLC           | \$ 2,545,100  | \$ 1,450.71  |
| 030 D005001 | 84  | COMMERCIAL ST | 21:RETAIL SERVICES      | 84 COMMERCIAL STREET LLC      | \$ 776,800    | \$ 442.78    |
| 030 H001001 | 180 | COMMERCIAL ST | 27:MULTI-USE COMMERCIAL | DIMILLO ARLENE ETALS TRUSTEES | \$ 2,875,900  | \$ 1,639.26  |
| 030 H004001 | 136 | COMMERCIAL ST | 24:WHOLESALE            | CARROLL BLOCK LLC             | \$ 3,763,300  | \$ 2,145.08  |
| 030 H011001 | 9   | PORTLAND PIER | 25:PARKING LOTS         | CARROLL BLOCK LLC             | \$ 32,800     | \$ 18.70     |
| 031 H001001 | 158 | COMMERCIAL ST | 25:PARKING LOTS         | DIMILLO STEVEN ETALTRUSTEES   | \$ 979,800    | \$ 558.49    |
| 031 H003001 | 144 | COMMERCIAL ST | 25:PARKING LOTS         | DIMILLO STEVEN ETAL TRUSTEES  | \$ 928,400    | \$ 529.19    |
| 031 H004001 | 164 | COMMERCIAL ST | 27:MULTI-USE COMMERCIAL | DIMILLO ARLENE ETALS TRUSTEES | \$ 1,405,200  | \$ 800.96    |
| 031 J030001 | 184 | COMMERCIAL ST | 21:RETAIL SERVICES      | GEF LLC                       | \$ 2,150,900  | \$ 1,226.01  |
| 031 K103001 | 218 | COMMERCIAL ST | 25:PARKING LOTS         | PROPRIETORS OF UNION WHARF    | \$ 512,200    | \$ 291.95    |
| 031 L034001 | 250 | COMMERCIAL ST | 31:MANUFACTURING        | CM WATERFRONT PROPERTIES LLC  | \$ 2,530,600  | \$ 1,442.44  |
| 031 L038001 | 230 | COMMERCIAL ST | 25:PARKING LOTS         | PROPRIETORS OF UNION WHARF    | \$ 81,900     | \$ 46.68     |
| 031 L135001 | 1   | UNION WHARF   | 24:WHOLESALE            | PROPRIETORS OF UNION WHARF    | \$ 2,113,600  | \$ 1,204.75  |
| 032 C001001 | 390 | CONGRESS ST   | 23:HOTEL & MOTEL        | PRESS HOTEL LLC               | \$ 30,535,600 | \$ 17,405.29 |
| 032 D001001 | 107 | EXCHANGE ST   | 22:OFFICE BUSINESS      | TOP OF EXCHANGE LLC           | \$ 1,412,200  | \$ 804.95    |
| 032 D002001 | 97  | EXCHANGE ST   | 22:OFFICE BUSINESS      | TOP OF EXCHANGE LLC           | \$ 2,941,200  | \$ 1,676.48  |
| 032 D003001 | 93  | EXCHANGE ST   | 22:OFFICE BUSINESS      | TOP OF EXCHANGE LLC           | \$ 2,920,300  | \$ 1,664.57  |
| 032 D004001 | 85  | EXCHANGE ST   | 22:OFFICE BUSINESS      | TOP OF EXCHANGE LLC           | \$ 3,734,400  | \$ 2,128.61  |
| 032 D005001 | 167 | MIDDLE ST     | 58:LAND BANKS           | CITY OF PORTLAND              | \$ -          | \$ -         |
| 032 E001001 | 57  | EXCHANGE ST   | 22:OFFICE BUSINESS      | 57 EXCHANGE STREET LLC        | \$ 3,815,900  | \$ 2,175.06  |
| 032 E002001 | 53  | EXCHANGE ST   | 21:RETAIL SERVICES      | PALACCI JOSEPH A TRUSTEE      | \$ 1,480,100  | \$ 843.66    |
| 032 E004001 | 49  | EXCHANGE ST   | 21:RETAIL SERVICES      | PALACCI JOSEPH A TRUSTEE      | \$ 763,700    | \$ 435.31    |
| 032 E005001 | 45  | EXCHANGE ST   | 22:OFFICE BUSINESS      | 45 EXCHANGE STREET LLC        | \$ 2,999,100  | \$ 1,709.49  |
| 032 E008001 | 39  | EXCHANGE ST   | 22:OFFICE BUSINESS      | PALACCI JOSEPH A TRUSTEE      | \$ 1,623,000  | \$ 925.11    |
| 032 E009001 | 31  | EXCHANGE ST   | 21:RETAIL SERVICES      | B & C LIMITED                 | \$ 1,879,800  | \$ 1,071.49  |
| 032 E010001 | 46  | MARKET ST     | 21:RETAIL SERVICES      | MARKET MILK PARTNERS LLC      | \$ 1,920,400  | \$ 1,094.63  |
| 032 F001001 | 42  | MARKET ST     | 21:RETAIL SERVICES      | OCEAN BLOCK ASSOCIATES        | \$ 1,339,400  | \$ 763.46    |
| 032 F002001 | 36  | MARKET ST     | 24:WHOLESALE            | 36 MARKET ST                  | \$ 894,100    | \$ 509.64    |
| 032 F003001 | 30  | MARKET ST     | 21:RETAIL SERVICES      | E L C INC                     | \$ 866,800    | \$ 494.08    |

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| PARCEL ID   | NUM | STREET      | LAND USE CODE           | OWN1                       | NET ASMT      | FEE @ .57   |
|-------------|-----|-------------|-------------------------|----------------------------|---------------|-------------|
| 032 F005001 | 363 | FORE ST     | 22:OFFICE BUSINESS      | ELEVEN EXCHANGE LLC        | \$ 1,284,400  | \$ 732.11   |
| 032 F007001 | 375 | FORE ST     | 21:RETAIL SERVICES      | ELEVEN EXCHANGE LLC        | \$ 737,500    | \$ 420.38   |
| 032 F008001 | 375 | FORE ST     | 21:RETAIL SERVICES      | ELEVEN EXCHANGE LLC        | \$ 762,900    | \$ 434.85   |
| 032 F009001 | 30  | MILK ST     | 22:OFFICE BUSINESS      | OCEAN BLOCK ASSOCIATES     | \$ 1,862,700  | \$ 1,061.74 |
| 032 F010001 | 9   | EXCHANGE ST | 21:RETAIL SERVICES      | ELEVEN EXCHANGE LLC        | \$ 2,759,400  | \$ 1,572.86 |
| 032 F012001 | 5   | EXCHANGE ST | 21:RETAIL SERVICES      | ELEVEN EXCHANGE LLC        | \$ 1,198,100  | \$ 682.92   |
| 032 F013001 | 379 | FORE ST     | 22:OFFICE BUSINESS      | ELEVEN EXCHANGE LLC        | \$ 1,026,700  | \$ 585.22   |
| 032 F014001 | 1   | EXCHANGE ST | 21:RETAIL SERVICES      | ELEVEN EXCHANGE LLC        | \$ 830,600    | \$ 473.44   |
| 032 G001001 | 396 | CONGRESS ST | 22:OFFICE BUSINESS      | PO SQUARE BUILDING LLC     | \$ 16,538,900 | \$ 9,427.17 |
| 032 H001001 | 110 | EXCHANGE ST | 22:OFFICE BUSINESS      | ONETEN EXCHANGE LLC        | \$ 1,803,300  | \$ 1,027.88 |
| 032 H002001 | 106 | EXCHANGE ST | 21:RETAIL SERVICES      | RICH BUILDING LLC          | \$ 951,000    | \$ 542.07   |
| 032 H003001 | 102 | EXCHANGE ST | 22:OFFICE BUSINESS      | PALACCI JOSEPH             | \$ 1,088,800  | \$ 620.62   |
| 032 H004001 | 15  | TEMPLE ST   | 56:GOVERNMENTAL         | CITY OF PORTLAND           | \$ -          | \$ -        |
| 032 H005001 | 1   | TEMPLE ST   | 56:GOVERNMENTAL         | CITY OF PORTLAND           | \$ -          | \$ -        |
| 032 H005002 | 1   | TEMPLE ST   | 22:OFFICE BUSINESS      | 11 TEMPLE MHR LLC          | \$ 3,157,900  | \$ 1,800.00 |
| 032 H006001 | 92  | EXCHANGE ST | 22:OFFICE BUSINESS      | MAINESCAPE PROPERTIES LLC  | \$ 1,043,100  | \$ 594.57   |
| 032 H007001 | 88  | EXCHANGE ST | 27:MULTI-USE COMMERCIAL | RIVENDELL REAL ESTATE LLC  | \$ 1,437,000  | \$ 819.09   |
| 032 H008001 | 80  | EXCHANGE ST | 22:OFFICE BUSINESS      | 80 EXCHANGE LLC            | \$ 3,118,000  | \$ 1,777.26 |
| 032 H009001 | 70  | EXCHANGE ST | 58:LAND BANKS           | CITY OF PORTLAND           | \$ -          | \$ -        |
| 032 H016001 | 183 | MIDDLE ST   | 20:COMMERCIAL CONDOS    | Q STREET REAL ESTATE       | \$ 796,800    | \$ 454.18   |
| 032 H016002 | 183 | MIDDLE ST   | 20:COMMERCIAL CONDOS    | Q STREET REAL ESTATE       | \$ 872,800    | \$ 497.50   |
| 032 H016003 | 183 | MIDDLE ST   | 20:COMMERCIAL CONDOS    | Q STREET REAL ESTATE THIRD | \$ 872,800    | \$ 497.50   |
| 032 H01604A | 183 | MIDDLE ST   | 20:COMMERCIAL CONDOS    | ITM REALTY II LLC          | \$ 287,900    | \$ 164.10   |
| 032 H01604B | 183 | MIDDLE ST   | 20:COMMERCIAL CONDOS    | ITM REALTY II LLC          | \$ 325,900    | \$ 185.76   |
| 032 H022001 | 193 | MIDDLE ST   | 22:OFFICE BUSINESS      | SAVI REALTY LLC            | \$ 4,495,000  | \$ 2,562.15 |
| 032 I001001 | 178 | MIDDLE ST   | 22:OFFICE BUSINESS      | FRESNEL LLC                | \$ 2,693,400  | \$ 1,535.24 |
| 032 I002001 | 52  | EXCHANGE ST | 21:RETAIL SERVICES      | OLD PORT ARMS LLC          | \$ 3,103,500  | \$ 1,769.00 |
| 032 I006001 | 50  | EXCHANGE ST | 20:COMMERCIAL CONDOS    | SANTANA LLC                | \$ 392,600    | \$ 223.78   |
| 032 I006002 | 50  | EXCHANGE ST | 20:COMMERCIAL CONDOS    | FIFTY EXCHANGE LLC         | \$ 391,900    | \$ 223.38   |
| 032 I006003 | 50  | EXCHANGE ST | 20:COMMERCIAL CONDOS    | FIFTY EXCHANGE LLC         | \$ 130,000    | \$ 74.10    |
| 032 I006004 | 50  | EXCHANGE ST | 20:COMMERCIAL CONDOS    | FIFTY EXCHANGE LLC         | \$ 130,900    | \$ 74.61    |
| 032 I006005 | 50  | EXCHANGE ST | 20:COMMERCIAL CONDOS    | FIFTY EXCHANGE LLC         | \$ 131,500    | \$ 74.96    |
| 032 I006006 | 50  | EXCHANGE ST | 20:COMMERCIAL CONDOS    | FIFTY EXCHANGE LLC         | \$ 132,000    | \$ 75.24    |
| 032 I007001 | 0   | CANAL PLAZA | 27:MULTI-USE COMMERCIAL | COW PLAZA 1 LLC            | \$ 605,900    | \$ 345.36   |
| 032 I008001 | 44  | EXCHANGE ST | 21:RETAIL SERVICES      | 44 EXCHANGE STREET LLC     | \$ 2,706,400  | \$ 1,542.65 |
| 032 I010001 | 34  | EXCHANGE ST | 21:RETAIL SERVICES      | PALACCI SION &             | \$ 1,296,300  | \$ 738.89   |
| 032 I011001 | 30  | EXCHANGE ST | 21:RETAIL SERVICES      | MAINELAND REAL ESTATE      | \$ 1,160,400  | \$ 661.43   |

PORTLAND DOWNTOWN DISTRICT PROPERTY LISTING UPDATE FOR FY2022 ASSESSMENTS

| PARCEL ID   | NUM | STREET      | LAND USE CODE           | OWN1                        | NET ASMT      | FEE @ .57    |
|-------------|-----|-------------|-------------------------|-----------------------------|---------------|--------------|
| 032 I012100 | 10  | EXCHANGE ST | 20:COMMERCIAL CONDOS    | 10 EXCHANGE PROPERTIES LLC  | \$ 1,921,600  | \$ 1,095.31  |
| 032 I012200 | 10  | EXCHANGE ST | 20:COMMERCIAL CONDOS    | 10 EXCHANGE PROPERTIES LLC  | \$ 1,360,200  | \$ 775.31    |
| 032 I012301 | 10  | EXCHANGE ST | 10:CONDOMINIUMS         | PADULA FRANCIS P            | \$ 321,500    | \$ 183.26    |
| 032 I012302 | 10  | EXCHANGE ST | 10:CONDOMINIUMS         | CURRAN JENNIFER A           | \$ 306,000    | \$ 174.42    |
| 032 I012303 | 10  | EXCHANGE ST | 10:CONDOMINIUMS         | CULPOVICH ANDREW J &        | \$ 202,300    | \$ 115.31    |
| 032 I012304 | 10  | EXCHANGE ST | 10:CONDOMINIUMS         | LETENDRE JESSICA            | \$ 310,000    | \$ 176.70    |
| 032 I012305 | 10  | EXCHANGE ST | 10:CONDOMINIUMS         | DRISCOLL ROBERT &           | \$ 254,700    | \$ 145.18    |
| 032 I012306 | 10  | EXCHANGE ST | 10:CONDOMINIUMS         | POMROY'S PORTLAND           | \$ 322,700    | \$ 183.94    |
| 032 I012307 | 10  | EXCHANGE ST | 10:CONDOMINIUMS         | SPELLICY STEPHEN &          | \$ 267,100    | \$ 152.25    |
| 032 I012308 | 10  | EXCHANGE ST | 10:CONDOMINIUMS         | EVANS SHERI CHRISTIENNE     | \$ 320,700    | \$ 182.80    |
| 032 I012309 | 10  | EXCHANGE ST | 10:CONDOMINIUMS         | SHEPHERD THOMAS A &         | \$ 300,000    | \$ 171.00    |
| 032 I012310 | 10  | EXCHANGE ST | 10:CONDOMINIUMS         | ECHM REALTY LLC             | \$ 329,100    | \$ 187.59    |
| 032 I012311 | 10  | EXCHANGE ST | 10:CONDOMINIUMS         | CAMPBELL COLLEEN S &        | \$ 205,900    | \$ 117.36    |
| 032 I012312 | 10  | EXCHANGE ST | 10:CONDOMINIUMS         | LOMAC SABIN                 | \$ 344,000    | \$ 196.08    |
| 032 I012313 | 10  | EXCHANGE ST | 10:CONDOMINIUMS         | HANSON CARL F               | \$ 276,600    | \$ 157.66    |
| 032 I012314 | 10  | EXCHANGE ST | 10:CONDOMINIUMS         | GORDON ABIGAIL              | \$ 287,000    | \$ 163.59    |
| 032 I012401 | 10  | EXCHANGE ST | 10:CONDOMINIUMS         | NOLAN JENNIFER R &          | \$ 316,800    | \$ 180.58    |
| 032 I012402 | 10  | EXCHANGE ST | 10:CONDOMINIUMS         | 10-402 EXCHANGE STREET LLC  | \$ 353,300    | \$ 201.38    |
| 032 I012404 | 10  | EXCHANGE ST | 10:CONDOMINIUMS         | BURNS THOMAS                | \$ 364,800    | \$ 207.94    |
| 032 I012405 | 10  | EXCHANGE ST | 10:CONDOMINIUMS         | DOYLE KEVIN F &             | \$ 249,600    | \$ 142.27    |
| 032 I012406 | 10  | EXCHANGE ST | 10:CONDOMINIUMS         | BROWN BRETT &               | \$ 381,500    | \$ 217.46    |
| 032 I012407 | 10  | EXCHANGE ST | 10:CONDOMINIUMS         | FLYING ZEBRA PROPERTIES LLC | \$ 330,300    | \$ 188.27    |
| 032 I012408 | 10  | EXCHANGE ST | 10:CONDOMINIUMS         | WALTERS BRETT D &           | \$ 301,700    | \$ 171.97    |
| 032 I012409 | 10  | EXCHANGE ST | 10:CONDOMINIUMS         | SAHA DEBASMITA &            | \$ 351,700    | \$ 200.47    |
| 032 I012410 | 10  | EXCHANGE ST | 10:CONDOMINIUMS         | GIULIANTI NICHOLAS R        | \$ 340,200    | \$ 193.91    |
| 032 I012411 | 10  | EXCHANGE ST | 10:CONDOMINIUMS         | SPANNAUS MICHAELA LILY      | \$ 338,600    | \$ 193.00    |
| 032 I012412 | 10  | EXCHANGE ST | 10:CONDOMINIUMS         | URBANEK NICHOLAS P          | \$ 259,500    | \$ 147.92    |
| 032 I012413 | 10  | EXCHANGE ST | 10:CONDOMINIUMS         | WHEELWRIGHT HENRY J TRUSTEE | \$ 317,200    | \$ 180.80    |
| 032 I012414 | 10  | EXCHANGE ST | 10:CONDOMINIUMS         | DEPALMA CHRISTOPHER R &     | \$ 290,500    | \$ 165.59    |
| 032 I018001 | 395 | FORE ST     | 21:RETAIL SERVICES      | 395 FORE STREET LLC         | \$ 1,491,100  | \$ 849.93    |
| 032 I021001 | 182 | MIDDLE ST   | 21:RETAIL SERVICES      | COW PLAZA 4 LLC             | \$ 5,536,400  | \$ 3,155.75  |
| 032 I023001 | 3   | CANAL PLAZA | 22:OFFICE BUSINESS      | COW PLAZA 3 LLC             | \$ 11,805,100 | \$ 6,728.91  |
| 032 I033001 | 2   | CANAL PLAZA | 22:OFFICE BUSINESS      | COW PLAZA 2 LLC             | \$ 7,318,600  | \$ 4,171.60  |
| 032 I036001 | 1   | CANAL PLAZA | 22:OFFICE BUSINESS      | COW PLAZA 1 LLC             | \$ 24,122,300 | \$ 13,749.71 |
| 032 I039001 | 40  | UNION ST    | 33:TRANSPORTATION       | CENTRAL MAINE POWER CO      | \$ 1,490,600  | \$ 849.64    |
| 032 I040001 | 44  | EXCHANGE ST | 25:PARKING LOTS         | KOWTOWER LLC                | \$ 451,800    | \$ 257.53    |
| 032 I041001 | 425 | FORE ST     | 27:MULTI-USE COMMERCIAL | COW PLAZA GARAGE LLC        | \$ 12,300,000 | \$ 7,011.00  |

PORTLAND DOWNTOWN DISTRICT PROPERTY LISTING UPDATE FOR FY2022 ASSESSMENTS

| PARCEL ID   | NUM | STREET             | LAND USE CODE           | OWN1                           | NET ASMT      | FEE @ .57    |
|-------------|-----|--------------------|-------------------------|--------------------------------|---------------|--------------|
| 032 I041002 | 401 | FORE ST            | 27:MULTI-USE COMMERCIAL | BANGOR SAVINGS BANK            | \$ 85,000     | \$ 48.45     |
| 032 I042001 | 433 | FORE ST            | 23:HOTEL & MOTEL        | COW PLAZA HOTEL LLC            | \$ 29,811,400 | \$ 16,992.50 |
| 032 I043001 | 45  | UNION ST           | 25:PARKING LOTS         | COW PLAZA 1 LLC                | \$ 108,700    | \$ 61.96     |
| 032 J001001 | 386 | FORE ST            | 21:RETAIL SERVICES      | 386 FORE STREET LLC            | \$ 1,734,200  | \$ 988.49    |
| 032 J002001 | 392 | FORE ST            | 21:RETAIL SERVICES      | BEER GUYS LLC                  | \$ 1,504,400  | \$ 857.51    |
| 032 J004001 | 396 | FORE ST            | 20:COMMERCIAL CONDOS    | BEER GUYS LLC                  | \$ 477,200    | \$ 272.00    |
| 032 J004002 | 396 | FORE ST            | 20:COMMERCIAL CONDOS    | BEER GUYS LLC                  | \$ 284,300    | \$ 162.05    |
| 032 J004003 | 396 | FORE ST            | 10:CONDOMINIUMS         | BEER GUYS LLC                  | \$ 356,700    | \$ 203.32    |
| 032 J00400B | 396 | FORE ST            | 20:COMMERCIAL CONDOS    | BEER GUYS LLC                  | \$ 267,600    | \$ 152.53    |
| 032 J005001 | 398 | FORE ST            | 20:COMMERCIAL CONDOS    | FORE STREET PARTNERSHIP        | \$ 883,000    | \$ 503.31    |
| 032 J005002 | 398 | FORE ST            | 20:COMMERCIAL CONDOS    | FORE STREET PROPERTIES         | \$ 706,400    | \$ 402.65    |
| 032 J005003 | 398 | FORE ST            | 20:COMMERCIAL CONDOS    | INGALLS ROGER E                | \$ 371,200    | \$ 211.58    |
| 032 J005004 | 398 | FORE ST            | 20:COMMERCIAL CONDOS    | INGALLS ROGER E                | \$ 371,200    | \$ 211.58    |
| 032 K001001 | 2   | MONUMENT SQ        | 22:OFFICE BUSINESS      | 800 NORTHERN CORP              | \$ 22,515,900 | \$ 12,834.06 |
| 032 K012001 | 1   | MONUMENT SQ        | 22:OFFICE BUSINESS      | FINARD MURRAY W TR             | \$ 24,460,000 | \$ 13,942.20 |
| 032 L001001 | 234 | FEDERAL ST W       | 56:GOVERNMENTAL         | CITY OF PORTLAND               | \$ -          | \$ -         |
| 032 L002001 | 1   | CITY CTR           | 22:OFFICE BUSINESS      | ONE CITY CENTER ASSOCIATES LLC | \$ 42,589,800 | \$ 24,276.19 |
| 032 N009001 | 414 | FORE ST            | 21:RETAIL SERVICES      | GOULD COMPANY LLC              | \$ 948,900    | \$ 540.87    |
| 032 N010001 | 416 | FORE ST            | 21:RETAIL SERVICES      | 416 FORE STREET HOLDINGS LLC   | \$ 1,512,100  | \$ 861.90    |
| 032 N011001 | 422 | FORE ST            | 21:RETAIL SERVICES      | HARDING RICHARD B ETAL         | \$ 683,800    | \$ 389.77    |
| 032 N012001 | 424 | FORE ST            | 21:RETAIL SERVICES      | SOLETSKY LIMITED LIABILITY CO  | \$ 1,290,700  | \$ 735.70    |
| 032 P001001 | 2   | CITY CTR           | 22:OFFICE BUSINESS      | TWO CITY CENTER LLC            | \$ 4,291,700  | \$ 2,446.27  |
| 032 P003001 | 4   | CITY CTR           | 21:RETAIL SERVICES      | WIRELESS PARTNERS II LLC ETAL  | \$ 2,379,800  | \$ 1,356.49  |
| 032 P004001 | 6   | CITY CTR           | 20:COMMERCIAL CONDOS    | SIX CITY CENTER LLC            | \$ 2,860,000  | \$ 1,630.20  |
| 032 P004002 | 6   | CITY CTR           | 20:COMMERCIAL CONDOS    | H & A PROPERTY GROUP LLC       | \$ 611,900    | \$ 348.78    |
| 032 P005001 | 0   | SPRING ST ARTERIAL | 56:GOVERNMENTAL         | CITY OF PORTLAND               | \$ -          | \$ -         |
| 032 P017001 | 10  | CITY CTR           | 22:OFFICE BUSINESS      | MINA BUILDING LLC              | \$ 1,135,000  | \$ 646.95    |
| 032 R001001 | 428 | FORE ST            | 21:RETAIL SERVICES      | 428 FORE STREET LLC            | \$ 1,256,800  | \$ 716.38    |
| 032 R003001 | 432 | FORE ST            | 21:RETAIL SERVICES      | TERRAPIN PROPERTIES LLC        | \$ 757,000    | \$ 431.49    |
| 032 R004001 | 434 | FORE ST            | 21:RETAIL SERVICES      | TERRAPIN PROPERTIES LLC        | \$ 715,200    | \$ 407.66    |
| 032 R007001 | 436 | FORE ST            | 21:RETAIL SERVICES      | FORE STREET PARTNERS LLC       | \$ 2,309,500  | \$ 1,316.42  |
| 032 R008001 | 446 | FORE ST            | 21:RETAIL SERVICES      | ORANGE CRUSH LLC               | \$ 2,036,600  | \$ 1,160.86  |
| 032 S001001 | 366 | FORE ST            | 21:RETAIL SERVICES      | MCGEE CHARLES T &              | \$ 3,765,400  | \$ 2,146.28  |
| 032 S003001 | 7   | MOULTON ST         | 21:RETAIL SERVICES      | 7-9 MOULTON LLC                | \$ 642,100    | \$ 366.00    |
| 032 S004001 | 161 | COMMERCIAL ST      | 21:RETAIL SERVICES      | ROB DOG REALTY LLC             | \$ 2,445,400  | \$ 1,393.88  |
| 032 S005001 | 5   | MOULTON ST         | 22:OFFICE BUSINESS      | MOULTON STREET REALTY LLC      | \$ 3,719,000  | \$ 2,119.83  |
| 032 T004001 | 4   | MOULTON ST         | 21:RETAIL SERVICES      | ADRIENNE-JANE INCORPORATED     | \$ 5,025,400  | \$ 2,864.48  |

PORTLAND DOWNTOWN DISTRICT PROPERTY LISTING UPDATE FOR FY2022 ASSESSMENTS

| PARCEL ID   | NUM | STREET         | LAND USE CODE            | OWN1                         | NET ASMT      | FEE @ .57    |
|-------------|-----|----------------|--------------------------|------------------------------|---------------|--------------|
| 032 U003001 | 185 | COMMERCIAL ST  | 25:PARKING LOTS          | COMPARK LLC                  | \$ 432,100    | \$ 246.30    |
| 032 U004001 | 1   | DANA ST        | 22:OFFICE BUSINESS       | ONE DANA LLC                 | \$ 1,892,500  | \$ 1,078.73  |
| 032 U005001 | 7   | DANA ST        | 21:RETAIL SERVICES       | TRANSMARINE                  | \$ 1,040,900  | \$ 593.31    |
| 032 V001001 | 10  | DANA ST        | 21:RETAIL SERVICES       | IVY HOLDINGS LLC             | \$ 2,111,800  | \$ 1,203.73  |
| 032 V002001 | 205 | COMMERCIAL ST  | 21:RETAIL SERVICES       | LANDFALL LLC                 | \$ 829,200    | \$ 472.64    |
| 032 V004001 | 211 | COMMERCIAL ST  | 22:OFFICE BUSINESS       | GRANITE FACE LLC             | \$ 3,353,400  | \$ 1,911.44  |
| 032 V005001 | 217 | COMMERCIAL ST  | 22:OFFICE BUSINESS       | CHASE BLOCK LLC              | \$ 5,531,000  | \$ 3,152.67  |
| 032 V008001 | 225 | COMMERCIAL ST  | 24:WHOLESALE             | 225 COMMERCIAL ST ASSOC INC  | \$ 3,062,300  | \$ 1,745.51  |
| 032 V012001 | 1   | UNION ST       | 22:OFFICE BUSINESS       | 237 COMMERCIAL STREET LLC    | \$ 2,613,100  | \$ 1,489.47  |
| 032 V014001 | 50  | WHARF ST       | 21:RETAIL SERVICES       | DEERING AVE ASSOCIATES INC & | \$ 1,315,300  | \$ 749.72    |
| 032 V015001 | 42  | WHARF ST       | 24:WHOLESALE             | DEERING AVE ASSOCIATES INC & | \$ 767,100    | \$ 437.25    |
| 032 V016001 | 34  | WHARF ST       | 21:RETAIL SERVICES       | IVY HOLDINGS LLC             | \$ 747,900    | \$ 426.30    |
| 037 A001001 | 45  | FOREST AVE     | 33:TRANSPORTATION        | NORTHERN NEW ENGLAND         | \$ 20,839,500 | \$ 11,878.52 |
| 037 A009001 | 104 | OAK ST         | 17:21 PLUS FAMILY        | PARK STREET PROPERTY LLC     | \$ 2,429,200  | \$ 1,384.64  |
| 037 A011001 | 92  | OAK ST         | 22:OFFICE BUSINESS       | 84 OAK STREET LLC            | \$ 500,200    | \$ 285.11    |
| 037 A012001 | 39  | FOREST AVE     | 22:OFFICE BUSINESS       | 39 LLC                       | \$ 3,851,500  | \$ 2,195.36  |
| 037 A022001 | 25  | FOREST AVE     | 21:RETAIL SERVICES       | PORTLAND STAGE COMPANY       | \$ 1,655,200  | \$ 943.46    |
| 037 A023001 | 84  | OAK ST         | 25:PARKING LOTS          | 84 OAK STREET LLC            | \$ 582,500    | \$ 332.03    |
| 037 A033001 | 11  | FOREST AVE     | 25:PARKING LOTS          | PACHIOS BROTHERS I LLC &     | \$ 885,000    | \$ 504.45    |
| 037 A035001 | 72  | OAK ST         | 17:21 PLUS FAMILY        | AVESTA OAK STREET LP         | \$ 3,333,700  | \$ 1,900.21  |
| 037 A038001 | 565 | CONGRESS ST    | 21:RETAIL SERVICES       | PACHIOS BROTHERS I LLC &     | \$ 3,749,400  | \$ 2,137.16  |
| 037 A042001 | 559 | CONGRESS ST    | 27:MULTI-USE COMMERCIAL  | HER LLC                      | \$ 633,100    | \$ 360.87    |
| 037 A043001 | 555 | CONGRESS ST    | 21:RETAIL SERVICES       | CORRYMORE ZELLERTON LLC      | \$ 556,400    | \$ 317.15    |
| 037 A044001 | 553 | CONGRESS ST    | 21:RETAIL SERVICES       | ROCCO HOLDINGS LLC           | \$ 1,327,000  | \$ 756.39    |
| 037 A045001 | 575 | CONGRESS ST    | 21:RETAIL SERVICES       | 571 ENTERPRISES LLC          | \$ 747,500    | \$ 426.08    |
| 037 A046001 | 7   | FOREST AVE     | 22:OFFICE BUSINESS       | D & D PARTNERS LLC           | \$ 710,100    | \$ 404.76    |
| 037 B001001 | 380 | CUMBERLAND AVE | 22:OFFICE BUSINESS       | SWEETWATER PARTNERS LLC      | \$ 3,518,300  | \$ 2,005.43  |
| 037 B013001 | 95  | OAK ST         | 25:PARKING LOTS          | NORTHERN NEW ENGLAND         | \$ 375,100    | \$ 213.81    |
| 037 B014001 | 15  | SHEPLEY ST     | 55:LITERARY & SCIENTIFIC | MAINE COLLEGE OF ART         | \$ -          | \$ -         |
| 037 B015001 | 11  | SHEPLEY ST     | 17:21 PLUS FAMILY        | 11 SHEPLEY STREET            | \$ 5,233,100  | \$ 2,982.87  |
| 037 C001001 | 0   | SHEPLEY ST     | 25:PARKING LOTS          | CITY OAK LLC                 | \$ 574,400    | \$ 327.41    |
| 037 C004001 | 0   | SHEPLEY ST     | 25:PARKING LOTS          | CITY OAK LLC                 | \$ 364,600    | \$ 207.82    |
| 037 C006001 | 18  | CASCO ST       | 17:21 PLUS FAMILY        | SHEPLEY LLC                  | \$ 6,187,100  | \$ 3,526.65  |
| 037 C008001 | 83  | OAK ST         | 25:PARKING LOTS          | HEGA REALTY LLC              | \$ 576,800    | \$ 328.78    |
| 037 C010001 | 16  | CASCO ST       | 22:OFFICE BUSINESS       | SHEEPDOG LLC                 | \$ 952,700    | \$ 543.04    |
| 037 C014100 | 531 | CONGRESS ST    | 20:COMMERCIAL CONDOS     | HEGA REALTY LLC              | \$ 3,402,200  | \$ 1,939.25  |
| 037 C014200 | 531 | CONGRESS ST    | 20:COMMERCIAL CONDOS     | HEGA REALTY LLC              | \$ 3,648,400  | \$ 2,079.59  |

PORTLAND DOWNTOWN DISTRICT PROPERTY LISTING UPDATE FOR FY2022 ASSESSMENTS

| PARCEL ID   | NUM | STREET         | LAND USE CODE              | OWN1                            | NET ASMT      | FEE @ .57   |
|-------------|-----|----------------|----------------------------|---------------------------------|---------------|-------------|
| 037 C014300 | 531 | CONGRESS ST    | 20:COMMERCIAL CONDOS       | HEGA REALTY LLC                 | \$ 2,211,000  | \$ 1,260.27 |
| 037 C014400 | 531 | CONGRESS ST    | 20:COMMERCIAL CONDOS       | HEGA REALTY LLC                 | \$ 2,065,900  | \$ 1,177.56 |
| 037 C014501 | 531 | CONGRESS ST    | 10:CONDOMINIUMS            | WILLIAMS DEBORAH J &            | \$ 600,400    | \$ 342.23   |
| 037 C014502 | 531 | CONGRESS ST    | 10:CONDOMINIUMS            | HEGA REALTY LLC                 | \$ 519,000    | \$ 295.83   |
| 037 C014503 | 531 | CONGRESS ST    | 10:CONDOMINIUMS            | SHOREY LINDA J &                | \$ 696,500    | \$ 397.01   |
| 037 C014504 | 531 | CONGRESS ST    | 10:CONDOMINIUMS            | HEGA REALTY LLC                 | \$ 933,900    | \$ 532.32   |
| 037 C014505 | 531 | CONGRESS ST    | 10:CONDOMINIUMS            | WALBRIDGE HOYT &                | \$ 898,200    | \$ 511.97   |
| 037 C014506 | 531 | CONGRESS ST    | 10:CONDOMINIUMS            | HEGA REALTY LLC                 | \$ 653,900    | \$ 372.72   |
| 037 C014507 | 531 | CONGRESS ST    | 10:CONDOMINIUMS            | HEGA REALTY LLC                 | \$ 582,400    | \$ 331.97   |
| 037 C014508 | 531 | CONGRESS ST    | 10:CONDOMINIUMS            | HEGA REALTY LLC                 | \$ 755,600    | \$ 430.69   |
| 037 C014509 | 531 | CONGRESS ST    | 10:CONDOMINIUMS            | HEGA REALTY LLC                 | \$ 487,600    | \$ 277.93   |
| 037 C014510 | 531 | CONGRESS ST    | 10:CONDOMINIUMS            | SEASIDE PARTNERS LLC            | \$ 637,800    | \$ 363.55   |
| 037 C016001 | 551 | CONGRESS ST    | 21:RETAIL SERVICES         | BENTLEY BUILDING LLC            | \$ 1,631,400  | \$ 929.90   |
| 037 C017006 | 547 | CONGRESS ST    | 10:CONDOMINIUMS            | BLISSFUL BOUND LLC              | \$ 637,100    | \$ 363.15   |
| 037 C01701A | 547 | CONGRESS ST    | 20:COMMERCIAL CONDOS       | R & J 545 PARTNERS LLC          | \$ 356,400    | \$ 203.15   |
| 037 C01701B | 547 | CONGRESS ST    | 20:COMMERCIAL CONDOS       | R & J 545 PARTNERS LLC          | \$ 371,000    | \$ 211.47   |
| 037 C01701C | 547 | CONGRESS ST    | 20:COMMERCIAL CONDOS       | R & J 545 PARTNERS LLC          | \$ 397,300    | \$ 226.46   |
| 037 C01702A | 547 | CONGRESS ST    | 10:CONDOMINIUMS            | HENAULT DOUGLAS S &             | \$ 247,400    | \$ 141.02   |
| 037 C01702B | 547 | CONGRESS ST    | 10:CONDOMINIUMS            | SCULLY JOHN M                   | \$ 206,800    | \$ 117.88   |
| 037 C01702C | 547 | CONGRESS ST    | 10:CONDOMINIUMS            | FRIEL MATTHEW R                 | \$ 233,100    | \$ 132.87   |
| 037 C01702D | 547 | CONGRESS ST    | 10:CONDOMINIUMS            | WHEELER-BERTA FRANCES H TRUSTEE | \$ 262,000    | \$ 149.34   |
| 037 C01702E | 547 | CONGRESS ST    | 10:CONDOMINIUMS            | JONES NICOLE M                  | \$ 211,400    | \$ 120.50   |
| 037 C01703A | 547 | CONGRESS ST    | 10:CONDOMINIUMS            | YANG DAVID I                    | \$ 282,200    | \$ 160.85   |
| 037 C01703B | 547 | CONGRESS ST    | 10:CONDOMINIUMS            | FOREMAN BROCK &                 | \$ 302,800    | \$ 172.60   |
| 037 C01703C | 547 | CONGRESS ST    | 10:CONDOMINIUMS            | PACKARD JEFFREY G &             | \$ 318,300    | \$ 181.43   |
| 037 C01704A | 547 | CONGRESS ST    | 10:CONDOMINIUMS            | FITZPATRICK SUSAN E             | \$ 274,000    | \$ 156.18   |
| 037 C01704B | 547 | CONGRESS ST    | 10:CONDOMINIUMS            | GRANO ROBERT C TRUSTEE          | \$ 263,900    | \$ 150.42   |
| 037 C01704C | 547 | CONGRESS ST    | 10:CONDOMINIUMS            | TYSON BRUCE &                   | \$ 369,200    | \$ 210.44   |
| 037 C01705A | 547 | CONGRESS ST    | 10:CONDOMINIUMS            | HENRY MICHAEL T &               | \$ 526,800    | \$ 300.28   |
| 037 C01705B | 547 | CONGRESS ST    | 10:CONDOMINIUMS            | BLISSFUL BOUND LLC              | \$ 290,200    | \$ 165.41   |
| 037 D001001 | 45  | CASCO ST       | 21:RETAIL SERVICES         | FORTY FIVE CASCO STREET LLC     | \$ 1,646,700  | \$ 938.62   |
| 037 D002001 | 511 | CONGRESS ST    | 22:OFFICE BUSINESS         | OCEAN GATE LLC                  | \$ 13,540,000 | \$ 7,717.80 |
| 037 D003001 | 360 | CUMBERLAND AVE | 27:MULTI-USE COMMERCIAL    | STARK INDUSTRIES LLC            | \$ 951,800    | \$ 542.53   |
| 037 D004001 | 48  | BROWN ST       | 27:MULTI-USE COMMERCIAL    | OCEAN GATE LLC                  | \$ 6,500,000  | \$ 3,705.00 |
| 037 D007001 | 37  | CASCO ST       | 17:21 PLUS FAMILY          | AMBASSADOR LLC                  | \$ 9,893,500  | \$ 5,639.30 |
| 037 D023001 | 15  | CASCO ST       | 54:BENEVOLENT & CHARITABLE | EQUALITY COMMUNITY CENTER       | \$ -          | \$ -        |
| 037 D024001 | 519 | CONGRESS ST    | 21:RETAIL SERVICES         | MAINE CHARITABLE MECHANIC       | \$ 1,189,900  | \$ 678.24   |



PORTLAND DOWNTOWN DISTRICT PROPERTY LISTING UPDATE FOR FY2022 ASSESSMENTS

| PARCEL ID   | NUM | STREET      | LAND USE CODE           | OWN1                         | NET ASMT      | FEE @ .57    |
|-------------|-----|-------------|-------------------------|------------------------------|---------------|--------------|
| 037 E001001 | 595 | CONGRESS ST | 58:LAND BANKS           | CITY OF PORTLAND             | \$ -          | \$ -         |
| 037 E002001 | 585 | CONGRESS ST | 20:COMMERCIAL CONDOS    | HAMMOND HEIRS LLC            | \$ 263,800    | \$ 150.37    |
| 037 E002002 | 585 | CONGRESS ST | 20:COMMERCIAL CONDOS    | HAMMOND HEIRS LLC            | \$ 509,000    | \$ 290.13    |
| 037 E002003 | 585 | CONGRESS ST | 20:COMMERCIAL CONDOS    | PAUL'S BOUTIQUE LLC          | \$ 1,825,200  | \$ 1,040.36  |
| 037 E002004 | 585 | CONGRESS ST | 20:COMMERCIAL CONDOS    | HAMMOND HEIRS LLC            | \$ 1,341,500  | \$ 764.66    |
| 037 E003001 | 10  | CONGRESS SQ | 27:MULTI-USE COMMERCIAL | PLAZA ASSOCIATES AT CONGRESS | \$ 19,409,300 | \$ 11,063.30 |
| 037 E004001 | 28  | FOREST AVE  | 25:PARKING LOTS         | PLAZA ASSOCIATES AT CONGRESS | \$ 347,300    | \$ 197.96    |
| 037 E005001 | 32  | FOREST AVE  | 40:VACANT LAND          | RB PORTLAND LLC              | \$ 353,700    | \$ 201.61    |
| 037 E005002 | 32  | FOREST AVE  | 25:PARKING LOTS         | PLAZA ASSOCIATES AT CONGRESS | \$ 312,300    | \$ 178.01    |
| 037 E006001 | 173 | HIGH ST     | 20:COMMERCIAL CONDOS    | 420 CUMBERLAND AVE LLC       | \$ 1,490,200  | \$ 849.41    |
| 037 E006002 | 173 | HIGH ST     | 20:COMMERCIAL CONDOS    | 420 CUMBERLAND AVE LLC       | \$ 556,500    | \$ 317.21    |
| 037 E006003 | 173 | HIGH ST     | 20:COMMERCIAL CONDOS    | 420 CUMBERLAND AVE LLC       | \$ 1,274,800  | \$ 726.64    |
| 037 E006004 | 173 | HIGH ST     | 20:COMMERCIAL CONDOS    | LUDWIG ROBERT C              | \$ 1,163,200  | \$ 663.02    |
| 037 E006005 | 173 | HIGH ST     | 20:COMMERCIAL CONDOS    | CAPITAL AREA PROPERTIES LLC  | \$ 439,600    | \$ 250.57    |
| 037 E006006 | 173 | HIGH ST     | 20:COMMERCIAL CONDOS    | HOPE GATEWAY UNITED          | \$ 456,400    | \$ 260.15    |
| 037 E006007 | 173 | HIGH ST     | 20:COMMERCIAL CONDOS    | 177 HIGH LLC                 | \$ 669,000    | \$ 381.33    |
| 037 E006008 | 173 | HIGH ST     | 20:COMMERCIAL CONDOS    | 6 EAST OXFORD ST LLC         | \$ 338,600    | \$ 193.00    |
| 037 E006009 | 173 | HIGH ST     | 20:COMMERCIAL CONDOS    | 181 HIGH STREET LLC          | \$ 18,500,000 | \$ 10,545.00 |
| 037 E006010 | 173 | HIGH ST     | 10:CONDOMINIUMS         | CML LLC                      | \$ 28,500     | \$ 16.25     |
| 037 E006011 | 173 | HIGH ST     | 10:CONDOMINIUMS         | CML LLC                      | \$ 28,500     | \$ 16.25     |
| 037 E006012 | 173 | HIGH ST     | 10:CONDOMINIUMS         | CML LLC                      | \$ 28,500     | \$ 16.25     |
| 037 E006013 | 173 | HIGH ST     | 10:CONDOMINIUMS         | CML LLC                      | \$ 28,500     | \$ 16.25     |
| 037 E006014 | 173 | HIGH ST     | 10:CONDOMINIUMS         | CML LLC                      | \$ 28,500     | \$ 16.25     |
| 037 E006015 | 173 | HIGH ST     | 10:CONDOMINIUMS         | CML LLC                      | \$ 28,500     | \$ 16.25     |
| 037 E006016 | 173 | HIGH ST     | 10:CONDOMINIUMS         | CML LLC                      | \$ 28,500     | \$ 16.25     |
| 037 E006017 | 173 | HIGH ST     | 10:CONDOMINIUMS         | CML LLC                      | \$ 28,500     | \$ 16.25     |
| 037 E006018 | 173 | HIGH ST     | 10:CONDOMINIUMS         | CML LLC                      | \$ 28,500     | \$ 16.25     |
| 037 E006019 | 173 | HIGH ST     | 10:CONDOMINIUMS         | CML LLC                      | \$ 28,500     | \$ 16.25     |
| 037 E006020 | 173 | HIGH ST     | 10:CONDOMINIUMS         | 420 CUMBERLAND AVE LLC       | \$ 28,500     | \$ 16.25     |
| 037 E006021 | 173 | HIGH ST     | 10:CONDOMINIUMS         | 420 CUMBERLAND AVE LLC       | \$ 28,500     | \$ 16.25     |
| 037 E006022 | 173 | HIGH ST     | 10:CONDOMINIUMS         | 420 CUMBERLAND AVE LLC       | \$ 28,500     | \$ 16.25     |
| 037 E006023 | 173 | HIGH ST     | 10:CONDOMINIUMS         | 420 CUMBERLAND AVE LLC       | \$ 28,500     | \$ 16.25     |
| 037 E006024 | 173 | HIGH ST     | 10:CONDOMINIUMS         | 420 CUMBERLAND AVE LLC       | \$ 28,500     | \$ 16.25     |
| 037 E006025 | 173 | HIGH ST     | 10:CONDOMINIUMS         | CAPITAL AREA PROPERTIES LLC  | \$ 28,500     | \$ 16.25     |
| 037 E006026 | 173 | HIGH ST     | 10:CONDOMINIUMS         | CAPITAL AREA PROPERTIES LLC  | \$ 28,500     | \$ 16.25     |
| 037 E006027 | 173 | HIGH ST     | 10:CONDOMINIUMS         | LUDWIG ROBERT C &            | \$ 28,500     | \$ 16.25     |
| 037 E006028 | 173 | HIGH ST     | 10:CONDOMINIUMS         | LUDWIG ROBERT C &            | \$ 28,500     | \$ 16.25     |



PORTLAND DOWNTOWN DISTRICT PROPERTY LISTING UPDATE FOR FY2022 ASSESSMENTS

| PARCEL ID   | NUM | STREET         | LAND USE CODE              | OWN1                            | NET ASMT      | FEE @ .57    |
|-------------|-----|----------------|----------------------------|---------------------------------|---------------|--------------|
| 037 E006029 | 173 | HIGH ST        | 10:CONDOMINIUMS            | LUDWIG ROBERT C &               | \$ 28,500     | \$ 16.25     |
| 037 E006030 | 173 | HIGH ST        | 10:CONDOMINIUMS            | LUDWIG ROBERT C &               | \$ 28,500     | \$ 16.25     |
| 037 E006031 | 173 | HIGH ST        | 10:CONDOMINIUMS            | 420 CUMBERLAND AVE LLC          | \$ 28,500     | \$ 16.25     |
| 037 E006032 | 173 | HIGH ST        | 10:CONDOMINIUMS            | 420 CUMBERLAND AVE LLC          | \$ 28,500     | \$ 16.25     |
| 037 E006033 | 173 | HIGH ST        | 10:CONDOMINIUMS            | 420 CUMBERLAND AVE LLC          | \$ 28,500     | \$ 16.25     |
| 037 E006034 | 173 | HIGH ST        | 10:CONDOMINIUMS            | 420 CUMBERLAND AVE LLC          | \$ 28,500     | \$ 16.25     |
| 037 E006035 | 173 | HIGH ST        | 10:CONDOMINIUMS            | 420 CUMBERLAND AVE LLC          | \$ 28,500     | \$ 16.25     |
| 037 E006036 | 173 | HIGH ST        | 10:CONDOMINIUMS            | LUDWIG ROBERT C                 | \$ 28,500     | \$ 16.25     |
| 037 E006037 | 173 | HIGH ST        | 10:CONDOMINIUMS            | LUDWIG ROBERT C                 | \$ 28,500     | \$ 16.25     |
| 037 E006038 | 173 | HIGH ST        | 10:CONDOMINIUMS            | 420 CUMBERLAND AVE LLC          | \$ 28,500     | \$ 16.25     |
| 037 E006039 | 173 | HIGH ST        | 10:CONDOMINIUMS            | 177 HIGH LLC                    | \$ 28,500     | \$ 16.25     |
| 037 E006040 | 173 | HIGH ST        | 10:CONDOMINIUMS            | 177 HIGH LLC                    | \$ 28,500     | \$ 16.25     |
| 037 E006041 | 173 | HIGH ST        | 10:CONDOMINIUMS            | LUDWIG ROBERT C &               | \$ 28,500     | \$ 16.25     |
| 037 E006042 | 173 | HIGH ST        | 10:CONDOMINIUMS            | LUDWIG ROBERT C &               | \$ 28,500     | \$ 16.25     |
| 037 E007001 | 157 | HIGH ST        | 23:HOTEL & MOTEL           | RB PORTLAND LLC                 | \$ 56,649,300 | \$ 32,290.10 |
| 037 F002001 | 45  | BROWN ST       | 27:MULTI-USE COMMERCIAL    | BROWN TOWER LLC                 | \$ 3,335,800  | \$ 1,901.41  |
| 037 F005001 | 28  | PREBLE ST      | 27:MULTI-USE COMMERCIAL    | EARL APARTMENTS LLC             | \$ 7,075,600  | \$ 4,033.09  |
| 037 F007001 | 24  | PREBLE ST      | 22:OFFICE BUSINESS         | 24 PREBLE STREET PROPERTIES LLC | \$ 2,132,900  | \$ 1,215.75  |
| 037 F009001 | 338 | CUMBERLAND AVE | 32:WAREHOUSE & STORAGE     | SWEETWATER PARTNERS LLC         | \$ 4,509,400  | \$ 2,570.36  |
| 037 F012001 | 41  | BROWN ST       | 55:LITERARY & SCIENTIFIC   | MHS INC                         | \$ -          | \$ -         |
| 037 F014001 | 483 | CONGRESS ST    | 54:BENEVOLENT & CHARITABLE | MAINE HISTORICAL SOCIETY        | \$ -          | \$ -         |
| 037 F017001 | 489 | CONGRESS ST    | 55:LITERARY & SCIENTIFIC   | MHS INC                         | \$ -          | \$ -         |
| 037 F020001 | 38  | PREBLE ST      | 54:BENEVOLENT & CHARITABLE | PREBLE STREET                   | \$ -          | \$ -         |
| 037 F022001 | 477 | CONGRESS ST    | 27:MULTI-USE COMMERCIAL    | TT MAINE VENTURE LLC            | \$ 11,490,000 | \$ 6,549.30  |
| 037 G001001 | 594 | CONGRESS ST    | 21:RETAIL SERVICES         | HIGH POINT REALTY LLC           | \$ 1,293,600  | \$ 737.35    |
| 037 G004001 | 582 | CONGRESS ST    | 21:RETAIL SERVICES         | CORNER FREAK LLC                | \$ 762,400    | \$ 434.57    |
| 037 G005001 | 580 | CONGRESS ST    | 21:RETAIL SERVICES         | BBB INC                         | \$ 1,008,300  | \$ 574.73    |
| 037 G006001 | 578 | CONGRESS ST    | 27:MULTI-USE COMMERCIAL    | 578 CONGRESS LLC                | \$ 438,300    | \$ 249.83    |
| 037 G007001 | 576 | CONGRESS ST    | 27:MULTI-USE COMMERCIAL    | 576 CONGRESS LLC                | \$ 420,600    | \$ 239.74    |
| 037 G008001 | 574 | CONGRESS ST    | 27:MULTI-USE COMMERCIAL    | 576 CONGRESS LLC                | \$ 449,100    | \$ 255.99    |
| 037 G009001 | 570 | CONGRESS ST    | 22:OFFICE BUSINESS         | PRIDE RALPH H TRUSTEE           | \$ 712,900    | \$ 406.35    |
| 037 G010001 | 133 | FREE ST        | 27:MULTI-USE COMMERCIAL    | HUBBARD'S APTS INC              | \$ 1,085,300  | \$ 618.62    |
| 037 G012001 | 584 | CONGRESS ST    | 21:RETAIL SERVICES         | CORNER FREAK LLC                | \$ 405,500    | \$ 231.14    |
| 037 G014001 | 562 | CONGRESS ST    | 22:OFFICE BUSINESS         | TERBAX REALTY INC               | \$ 7,947,200  | \$ 4,529.90  |
| 037 H001001 | 550 | CONGRESS ST    | 27:MULTI-USE COMMERCIAL    | 550 CONGRESS STREET LLC         | \$ 1,015,800  | \$ 579.01    |
| 037 H002001 | 540 | CONGRESS ST    | 55:LITERARY & SCIENTIFIC   | MAINE COLLEGE OF ART            | \$ -          | \$ -         |
| 037 H002002 | 540 | CONGRESS ST    | 20:COMMERCIAL CONDOS       | 540 CONGRESS STREET LLC         | \$ 2,795,600  | \$ 1,593.49  |

PORTLAND DOWNTOWN DISTRICT PROPERTY LISTING UPDATE FOR FY2022 ASSESSMENTS

| PARCEL ID   | NUM | STREET      | LAND USE CODE              | OWN1                       | NET ASMT     | FEE @ .57   |
|-------------|-----|-------------|----------------------------|----------------------------|--------------|-------------|
| 037 H002003 | 540 | CONGRESS ST | 10:CONDOMINIUMS            | 540 CONGRESS STREET LLC    | \$ 259,400   | \$ 147.86   |
| 037 H002004 | 540 | CONGRESS ST | 10:CONDOMINIUMS            | 540 CONGRESS STREET LLC    | \$ 264,500   | \$ 150.77   |
| 037 H002005 | 540 | CONGRESS ST | 10:CONDOMINIUMS            | 540 CONGRESS STREET LLC    | \$ 259,400   | \$ 147.86   |
| 037 H002006 | 540 | CONGRESS ST | 10:CONDOMINIUMS            | 540 CONGRESS STREET LLC    | \$ 290,300   | \$ 165.47   |
| 037 H005001 | 536 | CONGRESS ST | 54:BENEVOLENT & CHARITABLE | SPACE GALLERY              | \$ -         | \$ -        |
| 037 H005003 | 536 | CONGRESS ST | 20:COMMERCIAL CONDOS       | SPACE GALLERY              | \$ 785,400   | \$ 447.68   |
| 037 H006001 | 522 | CONGRESS ST | 55:LITERARY & SCIENTIFIC   | MAINE COLLEGE OF ART       | \$ -         | \$ -        |
| 037 H009001 | 516 | CONGRESS ST | 21:RETAIL SERVICES         | PACHIOS BROTHERS II LLC    | \$ 2,922,400 | \$ 1,665.77 |
| 037 H010001 | 510 | CONGRESS ST | 21:RETAIL SERVICES         | CENTER CITY PLAZA ASSOC    | \$ 4,126,700 | \$ 2,352.22 |
| 037 H011001 | 500 | CONGRESS ST | 20:COMMERCIAL CONDOS       | MATERIAL OBJECTS           | \$ 491,800   | \$ 280.33   |
| 037 H011002 | 500 | CONGRESS ST | 20:COMMERCIAL CONDOS       | 500 CONGRESS TOP FLOOR LLC | \$ 357,500   | \$ 203.78   |
| 037 H013001 | 504 | CONGRESS ST | 21:RETAIL SERVICES         | KAPLAN 504 LLC             | \$ 1,528,400 | \$ 871.19   |
| 037 H014001 | 51  | OAK ST      | 20:COMMERCIAL CONDOS       | MAINE COLLEGE OF ART       | \$ 318,000   | \$ 181.26   |
| 037 H014002 | 51  | OAK ST      | 55:LITERARY & SCIENTIFIC   | MAINE COLLEGE OF ART       | \$ -         | \$ -        |
| 037 H014003 | 51  | OAK ST      | 20:COMMERCIAL CONDOS       | MAINE COLLEGE OF ART       | \$ 319,000   | \$ 181.83   |
| 037 H014004 | 51  | OAK ST      | 55:LITERARY & SCIENTIFIC   | MAINE COLLEGE OF ART       | \$ -         | \$ -        |
| 037 H014005 | 51  | OAK ST      | 20:COMMERCIAL CONDOS       | MAINE COLLEGE OF ART       | \$ 217,800   | \$ 124.15   |
| 037 H025001 | 57  | OAK ST      | 21:RETAIL SERVICES         | NEKOIE BAHMAN &            | \$ 316,800   | \$ 180.58   |
| 037 I001001 | 498 | CONGRESS ST | 21:RETAIL SERVICES         | 498 CONGRESS LLC           | \$ 1,690,900 | \$ 963.81   |
| 037 I002101 | 490 | CONGRESS ST | 20:COMMERCIAL CONDOS       | GRACE LLC                  | \$ 647,800   | \$ 369.25   |
| 037 I002102 | 492 | CONGRESS ST | 20:COMMERCIAL CONDOS       | MZ-KIMBALL COURT LLC       | \$ 768,000   | \$ 437.76   |
| 037 I002103 | 15  | BROWN ST    | 20:COMMERCIAL CONDOS       | THE DOROTHEA &             | \$ 239,500   | \$ 136.52   |
| 037 I002104 | 15  | BROWN ST    | 10:CONDOMINIUMS            | O'SULLIVAN MICHAEL &       | \$ 651,500   | \$ 371.36   |
| 037 I002105 | 15  | BROWN ST    | 10:CONDOMINIUMS            | ADLER JANICE B             | \$ 617,600   | \$ 352.03   |
| 037 I002201 | 15  | BROWN ST    | 10:CONDOMINIUMS            | PYE JOHN F &               | \$ 371,500   | \$ 211.76   |
| 037 I002202 | 15  | BROWN ST    | 10:CONDOMINIUMS            | SAUCEDO CHRISTIAN MANUEL   | \$ 426,400   | \$ 243.05   |
| 037 I002203 | 15  | BROWN ST    | 10:CONDOMINIUMS            | HAVEY BENJAMIN M           | \$ 497,500   | \$ 283.58   |
| 037 I002204 | 15  | BROWN ST    | 10:CONDOMINIUMS            | SINGER JASON &             | \$ 416,500   | \$ 237.41   |
| 037 I002205 | 15  | BROWN ST    | 10:CONDOMINIUMS            | 207 INVESTS I LLC          | \$ 406,800   | \$ 231.88   |
| 037 I002206 | 15  | BROWN ST    | 10:CONDOMINIUMS            | MCILVAIN JOHN &            | \$ 320,400   | \$ 182.63   |
| 037 I002207 | 15  | BROWN ST    | 10:CONDOMINIUMS            | SOULE GEORGE &             | \$ 236,600   | \$ 134.86   |
| 037 I002208 | 15  | BROWN ST    | 10:CONDOMINIUMS            | DOCTOROFF MARK G           | \$ 454,100   | \$ 258.84   |
| 037 I002301 | 15  | BROWN ST    | 10:CONDOMINIUMS            | BERZON TODD S              | \$ 438,400   | \$ 249.89   |
| 037 I002302 | 15  | BROWN ST    | 10:CONDOMINIUMS            | ANDREOLI HELEN L           | \$ 423,400   | \$ 241.34   |
| 037 I002303 | 15  | BROWN ST    | 10:CONDOMINIUMS            | BAUMAN PATRICIA J TRUSTEE  | \$ 499,400   | \$ 284.66   |
| 037 I002304 | 15  | BROWN ST    | 10:CONDOMINIUMS            | MOORE BRIAN D              | \$ 443,000   | \$ 252.51   |
| 037 I002305 | 15  | BROWN ST    | 10:CONDOMINIUMS            | COFFIN KATHLEEN M          | \$ 354,600   | \$ 202.12   |

PORTLAND DOWNTOWN DISTRICT PROPERTY LISTING UPDATE FOR FY2022 ASSESSMENTS

| PARCEL ID   | NUM | STREET      | LAND USE CODE           | OWN1                        | NET ASMT      | FEE @ .57    |
|-------------|-----|-------------|-------------------------|-----------------------------|---------------|--------------|
| 037 I002306 | 15  | BROWN ST    | 10:CONDOMINIUMS         | HUNT RYAN ETAL              | \$ 406,500    | \$ 231.71    |
| 037 I002307 | 15  | BROWN ST    | 10:CONDOMINIUMS         | DOCTOROFF MARK G            | \$ 442,100    | \$ 252.00    |
| 037 I002401 | 15  | BROWN ST    | 10:CONDOMINIUMS         | KIM PAUL ETAL JTS           | \$ 537,100    | \$ 306.15    |
| 037 I002402 | 15  | BROWN ST    | 10:CONDOMINIUMS         | JONES RUSSELL J             | \$ 540,800    | \$ 308.26    |
| 037 I002403 | 15  | BROWN ST    | 10:CONDOMINIUMS         | LANGDON DARBY TRUSTEE       | \$ 554,900    | \$ 316.29    |
| 037 I002404 | 15  | BROWN ST    | 10:CONDOMINIUMS         | RICCI MICHAEL &             | \$ 536,600    | \$ 305.86    |
| 037 I002405 | 15  | BROWN ST    | 10:CONDOMINIUMS         | MARCUS PETER H TRUSTEE &    | \$ 479,900    | \$ 273.54    |
| 037 I002406 | 15  | BROWN ST    | 10:CONDOMINIUMS         | SANTORO DAVID M             | \$ 506,400    | \$ 288.65    |
| 037 I003001 | 482 | CONGRESS ST | 21:RETAIL SERVICES      | CENTER CONGRESS LLC         | \$ 5,677,800  | \$ 3,236.35  |
| 037 I004001 | 480 | CONGRESS ST | 22:OFFICE BUSINESS      | ASHBY TEAM LLC              | \$ 1,507,900  | \$ 859.50    |
| 037 I005001 | 486 | CONGRESS ST | 27:MULTI-USE COMMERCIAL | BARTHE DONNA                | \$ 607,700    | \$ 346.39    |
| 037 I00701A | 11  | BROWN ST    | 20:COMMERCIAL CONDOS    | PHelps CRAIG REAL           | \$ 806,200    | \$ 459.53    |
| 037 I00702A | 9   | BROWN ST    | 10:CONDOMINIUMS         | HARRISON SYDNEY             | \$ 391,800    | \$ 223.33    |
| 037 I00702B | 9   | BROWN ST    | 10:CONDOMINIUMS         | BUKER MAILE E               | \$ 514,100    | \$ 293.04    |
| 037 I00703A | 9   | BROWN ST    | 10:CONDOMINIUMS         | ZELENER YAN &               | \$ 652,100    | \$ 371.70    |
| 037 I00704A | 9   | BROWN ST    | 10:CONDOMINIUMS         | THORNDIKE WILLIAM N JR &    | \$ 841,700    | \$ 479.77    |
| 037 I009001 | 59  | FREE ST     | 25:PARKING LOTS         | JBG & H ASSOCIATES          | \$ 887,700    | \$ 505.99    |
| 037 I012001 | 104 | CENTER ST   | 25:PARKING LOTS         | CENTER CONGRESS LLC         | \$ 734,300    | \$ 418.55    |
| 038 A001001 | 10  | FREE ST     | 20:COMMERCIAL CONDOS    | JBG&H ASSOCIATES            | \$ 4,140,500  | \$ 2,360.09  |
| 038 A001002 | 10  | FREE ST     | 20:COMMERCIAL CONDOS    | BROWN J B & SONS            | \$ 2,150,300  | \$ 1,225.67  |
| 038 A005001 | 22  | FREE ST     | 22:OFFICE BUSINESS      | BROWN J B & SONS            | \$ 4,293,000  | \$ 2,447.01  |
| 038 B001001 | 1   | PORTLAND SQ | 20:COMMERCIAL CONDOS    | NORTH RIVER IV LLC          | \$ 37,155,400 | \$ 21,178.58 |
| 038 B001007 | 1   | PORTLAND SQ | 20:COMMERCIAL CONDOS    | PS ONE REALTY LLC           | \$ 18,566,400 | \$ 10,582.85 |
| 038 B002001 | 2   | PORTLAND SQ | 22:OFFICE BUSINESS      | NORTH RIVER IV LLC          | \$ 40,239,000 | \$ 22,936.23 |
| 038 B003001 | 481 | FORE ST     | 25:PARKING LOTS         | NORTH RIVER IV LLC          | \$ 7,209,400  | \$ 4,109.36  |
| 038 C008001 | 28  | COTTON ST   | 56:GOVERNMENTAL         | CITY OF PORTLAND            | \$ -          | \$ -         |
| 038 C009001 | 24  | COTTON ST   | 25:PARKING LOTS         | CASCO VIEW HOLDINGS III LLC | \$ 1,459,000  | \$ 831.63    |
| 038 C012001 | 8   | COTTON ST   | 27:MULTI-USE COMMERCIAL | CASCO VIEW HOLDINGS III LLC | \$ 2,630,900  | \$ 1,499.61  |
| 038 C030001 | 59  | CENTER ST   | 21:RETAIL SERVICES      | CASCO VIEW HOLDINGS III LLC | \$ 687,200    | \$ 391.70    |
| 038 D015001 | 82  | FREE ST     | 56:GOVERNMENTAL         | CUMBERLAND COUNTY MAINE     | \$ -          | \$ -         |
| 038 E009105 | 70  | CENTER ST   | 20:COMMERCIAL CONDOS    | MITCHELL JOHN D             | \$ 375,000    | \$ 213.75    |
| 038 E009106 | 70  | CENTER ST   | 20:COMMERCIAL CONDOS    | APPLE REAL ESTATE           | \$ 342,900    | \$ 195.45    |
| 038 E009204 | 70  | CENTER ST   | 20:COMMERCIAL CONDOS    | F & H REALTY PARTNERSHIP    | \$ 372,300    | \$ 212.21    |
| 038 E009205 | 70  | CENTER ST   | 20:COMMERCIAL CONDOS    | F & H REALTY PARTNERSHIP    | \$ 387,000    | \$ 220.59    |
| 038 E009304 | 70  | CENTER ST   | 20:COMMERCIAL CONDOS    | EAST COAST CONSTRUCTION AND | \$ 390,100    | \$ 222.36    |
| 038 E009305 | 70  | CENTER ST   | 20:COMMERCIAL CONDOS    | MCKERSIE FAMILY LLC         | \$ 388,200    | \$ 221.27    |
| 038 E009401 | 70  | CENTER ST   | 20:COMMERCIAL CONDOS    | ALDER RUN DEVELOPMENT       | \$ 673,900    | \$ 384.12    |

PORTLAND DOWNTOWN DISTRICT PROPERTY LISTING UPDATE FOR FY2022 ASSESSMENTS

| PARCEL ID   | NUM | STREET        | LAND USE CODE           | OWN1                            | NET ASMT      | FEE @ .57    |
|-------------|-----|---------------|-------------------------|---------------------------------|---------------|--------------|
| 038 E009G07 | 70  | CENTER ST     | 20:COMMERCIAL CONDOS    | 70 CENTER STREET BASEMENT LLC   | \$ 353,800    | \$ 201.67    |
| 038 E009G08 | 70  | CENTER ST     | 20:COMMERCIAL CONDOS    | MAINE BUSINESS SERVICES INC     | \$ 347,600    | \$ 198.13    |
| 038 E010001 | 17  | SOUTH ST      | 20:COMMERCIAL CONDOS    | LEVINE ROBERT A &               | \$ 228,900    | \$ 130.47    |
| 038 E010002 | 17  | SOUTH ST      | 20:COMMERCIAL CONDOS    | SOUTH STREET PARTNERS 2 LLC     | \$ 228,900    | \$ 130.47    |
| 038 E010003 | 17  | SOUTH ST      | 20:COMMERCIAL CONDOS    | PRESTIGE WORLD-WIDE             | \$ 371,200    | \$ 211.58    |
| 038 E012001 | 52  | CENTER ST     | 21:RETAIL SERVICES      | PICTURE ISLAND INC              | \$ 683,300    | \$ 389.48    |
| 038 E019001 | 1   | PLEASANT ST   | 21:RETAIL SERVICES      | RSP PLEASANT LLC                | \$ 1,669,000  | \$ 951.33    |
| 038 E020001 | 7   | PLEASANT ST   | 27:MULTI-USE COMMERCIAL | 7-19 PLEASANT STREET LLC        | \$ 783,100    | \$ 446.37    |
| 038 E021001 | 9   | PLEASANT ST   | 25:PARKING LOTS         | 7-19 PLEASANT STREET LLC        | \$ 156,800    | \$ 89.38     |
| 038 E022001 | 9   | PLEASANT ST   | 25:PARKING LOTS         | 7-19 PLEASANT STREET LLC        | \$ 22,800     | \$ 13.00     |
| 038 E023001 | 15  | PLEASANT ST   | 27:MULTI-USE COMMERCIAL | 7-19 PLEASANT STREET LLC        | \$ 1,506,700  | \$ 858.82    |
| 038 E024001 | 21  | PLEASANT ST   | 27:MULTI-USE COMMERCIAL | ANADILYA PROPERTIES LLC         | \$ 1,190,500  | \$ 678.59    |
| 038 E025001 | 11  | SOUTH ST      | 13:THREE FAMILY         | AMORY JONATHAN &                | \$ 858,500    | \$ 489.35    |
| 038 E026001 | 9   | SOUTH ST      | 12:TWO FAMILY           | HANSON ANJA-BRITT &             | \$ 831,800    | \$ 474.13    |
| 038 E027001 | 5   | SOUTH ST      | 27:MULTI-USE COMMERCIAL | FIVE SOUTH STREET LLC           | \$ 729,000    | \$ 415.53    |
| 038 E029001 | 19  | SOUTH ST      | 27:MULTI-USE COMMERCIAL | 19 SOUTH STREET DEVELOPMENT LLC | \$ 1,535,200  | \$ 875.06    |
| 038 E030001 | 58  | CENTER ST     | 25:PARKING LOTS         | STEELE DANIEL L                 | \$ 984,700    | \$ 561.28    |
| 038 F004001 | 241 | COMMERCIAL ST | 24:WHOLESALE            | SLM PROPERTIES INC              | \$ 3,049,400  | \$ 1,738.16  |
| 038 F006001 | 245 | COMMERCIAL ST | 22:OFFICE BUSINESS      | CASCO VIEW HOLDINGS LLC         | \$ 6,931,500  | \$ 3,950.96  |
| 038 F008001 | 470 | FORE ST       | 22:OFFICE BUSINESS      | DICTAR ASSOCIATES II            | \$ 2,958,500  | \$ 1,686.35  |
| 038 F009001 | 468 | FORE ST       | 23:HOTEL & MOTEL        | HARBOR PLAZA ASSOCIATES II      | \$ 26,021,600 | \$ 14,832.31 |
| 038 F009002 | 468 | FORE ST       | 22:OFFICE BUSINESS      | DICTAR ASSOCIATES II            | \$ 5,400,000  | \$ 3,078.00  |
| 038 F019001 | 19  | CROSS ST      | 22:OFFICE BUSINESS      | CASCO VIEW HOLDINGS II LLC      | \$ 8,755,900  | \$ 4,990.86  |
| 038 G001001 | 486 | FORE ST       | 25:PARKING LOTS         | NORTH RIVER IV LLC              | \$ 5,877,200  | \$ 3,350.00  |
| 038 G00202A | 269 | COMMERCIAL ST | 10:CONDOMINIUMS         | GOSSELIN EUGENE D &             | \$ 244,100    | \$ 139.14    |
| 038 G00202B | 269 | COMMERCIAL ST | 10:CONDOMINIUMS         | POE MAXWELL                     | \$ 248,200    | \$ 141.47    |
| 038 G00202C | 269 | COMMERCIAL ST | 10:CONDOMINIUMS         | SCHNEIDER PAUL                  | \$ 244,500    | \$ 139.37    |
| 038 G00202D | 269 | COMMERCIAL ST | 10:CONDOMINIUMS         | CUMMING JEAN S &                | \$ 258,400    | \$ 147.29    |
| 038 G00202E | 269 | COMMERCIAL ST | 10:CONDOMINIUMS         | DEVILLIER JACQUES K             | \$ 227,100    | \$ 129.45    |
| 038 G00202F | 269 | COMMERCIAL ST | 10:CONDOMINIUMS         | MCKENZIE ANNE-MARIE &           | \$ 265,000    | \$ 151.05    |
| 038 G00203A | 269 | COMMERCIAL ST | 10:CONDOMINIUMS         | ALBEE PETER J                   | \$ 253,600    | \$ 144.55    |
| 038 G00203B | 269 | COMMERCIAL ST | 10:CONDOMINIUMS         | RICE LEE P                      | \$ 241,900    | \$ 137.88    |
| 038 G00203C | 269 | COMMERCIAL ST | 10:CONDOMINIUMS         | NORCHI CHARLES H                | \$ 271,100    | \$ 154.53    |
| 038 G00203D | 269 | COMMERCIAL ST | 10:CONDOMINIUMS         | HUDON WILFRED R                 | \$ 252,700    | \$ 144.04    |
| 038 G00203E | 269 | COMMERCIAL ST | 10:CONDOMINIUMS         | CONKLIN HENRY C                 | \$ 254,900    | \$ 145.29    |
| 038 G00203F | 269 | COMMERCIAL ST | 10:CONDOMINIUMS         | TUCKER HAROLD W III             | \$ 258,700    | \$ 147.46    |
| 038 G00204A | 269 | COMMERCIAL ST | 10:CONDOMINIUMS         | SERNOFFSKY SUSAN                | \$ 229,000    | \$ 130.53    |

PORTLAND DOWNTOWN DISTRICT PROPERTY LISTING UPDATE FOR FY2022 ASSESSMENTS

| PARCEL ID   | NUM | STREET        | LAND USE CODE           | OWN1                         | NET ASMT      | FEE @ .57    |
|-------------|-----|---------------|-------------------------|------------------------------|---------------|--------------|
| 038 G00204B | 269 | COMMERCIAL ST | 10:CONDOMINIUMS         | 269 COMMERCIAL LLC           | \$ 268,800    | \$ 153.22    |
| 038 G00204C | 269 | COMMERCIAL ST | 10:CONDOMINIUMS         | VANTAGE RETIREMENT PLANS LLC | \$ 336,800    | \$ 191.98    |
| 038 G00204D | 269 | COMMERCIAL ST | 10:CONDOMINIUMS         | KIMBLE ELLEN SUE             | \$ 230,800    | \$ 131.56    |
| 038 G00204E | 269 | COMMERCIAL ST | 10:CONDOMINIUMS         | LOWRY KATE                   | \$ 255,200    | \$ 145.46    |
| 038 G00204F | 269 | COMMERCIAL ST | 10:CONDOMINIUMS         | WONG ROCKET &                | \$ 266,900    | \$ 152.13    |
| 038 G00205A | 269 | COMMERCIAL ST | 10:CONDOMINIUMS         | BERG ERIC O JR TRUSTEE       | \$ 285,600    | \$ 162.79    |
| 038 G00205B | 269 | COMMERCIAL ST | 10:CONDOMINIUMS         | TARBOX JEFFERY H             | \$ 309,700    | \$ 176.53    |
| 038 G00205C | 269 | COMMERCIAL ST | 10:CONDOMINIUMS         | CALDWELL ROBERT A            | \$ 277,100    | \$ 157.95    |
| 038 G00205D | 269 | COMMERCIAL ST | 10:CONDOMINIUMS         | MUEHLE BRENNAL               | \$ 315,800    | \$ 180.01    |
| 038 G00205E | 269 | COMMERCIAL ST | 10:CONDOMINIUMS         | FLAHERTY CHRISTOPHER F       | \$ 308,500    | \$ 175.85    |
| 038 G00205F | 269 | COMMERCIAL ST | 10:CONDOMINIUMS         | FOSTER ANTHONY W             | \$ 269,500    | \$ 153.62    |
| 038 G002267 | 269 | COMMERCIAL ST | 20:COMMERCIAL CONDOS    | TEEDUCFRATAY LLC             | \$ 659,300    | \$ 375.80    |
| 038 G002271 | 269 | COMMERCIAL ST | 20:COMMERCIAL CONDOS    | JKC LLC                      | \$ 604,700    | \$ 344.68    |
| 038 G005001 | 9   | CENTER ST     | 23:HOTEL & MOTEL        | FATHOM CC LLC                | \$ 26,552,400 | \$ 15,134.87 |
| 038 I001001 | 28  | FREE ST       | 27:MULTI-USE COMMERCIAL | 40 FREE LLC                  | \$ 10,009,400 | \$ 5,705.36  |
| 038 I003001 | 15  | SPRING ST     | 25:PARKING LOTS         | BROWN J B & SONS             | \$ 1,783,900  | \$ 1,016.82  |
| 038 I018001 | 46  | FREE ST       | 21:RETAIL SERVICES      | BROWN J B & SONS             | \$ 4,542,400  | \$ 2,589.17  |
| 039 A001001 | 626 | CONGRESS ST   | 21:RETAIL SERVICES      | PARK WONBAE &                | \$ 1,844,400  | \$ 1,051.31  |
| 039 A002001 | 622 | CONGRESS ST   | 21:RETAIL SERVICES      | WAYNE ENTERPRISES LLC        | \$ 2,298,400  | \$ 1,310.09  |
| 039 A005001 | 616 | CONGRESS ST   | 21:RETAIL SERVICES      | 614 CONGRESS STREET LLC      | \$ 2,113,000  | \$ 1,204.41  |
| 039 A006001 | 143 | PARK ST       | 25:PARKING LOTS         | 614 CONGRESS STREET LLC      | \$ 154,500    | \$ 88.07     |
| 039 A007001 | 612 | CONGRESS ST   | 25:PARKING LOTS         | RICE GEOFFREY I              | \$ 108,100    | \$ 61.62     |
| 039 A008001 | 610 | CONGRESS ST   | 21:RETAIL SERVICES      | 19 SOUTH STREET LLC          | \$ 735,600    | \$ 419.29    |
| 039 A009001 | 608 | CONGRESS ST   | 21:RETAIL SERVICES      | 19 SOUTH STREET LLC          | \$ 732,400    | \$ 417.47    |
| 039 A010001 | 606 | CONGRESS ST   | 21:RETAIL SERVICES      | 602 CONGRESS LLC             | \$ 623,100    | \$ 355.17    |
| 039 A011001 | 141 | PARK ST       | 25:PARKING LOTS         | WAYNE ENTERPRISES LLC        | \$ 272,800    | \$ 155.50    |
| 039 A013001 | 600 | CONGRESS ST   | 22:OFFICE BUSINESS      | 602 CONGRESS LLC             | \$ 2,909,500  | \$ 1,658.42  |
| 039 A016001 | 122 | HIGH ST       | 40:VACANT LAND          | TEGNA EAST COAST             | \$ 139,100    | \$ 79.29     |
| 039 A016002 | 122 | HIGH ST       | 25:PARKING LOTS         | PACIFIC AND SOUTHERN LLC     | \$ 1,349,600  | \$ 769.27    |
| 039 A017001 | 128 | HIGH ST       | 22:OFFICE BUSINESS      | TEGNA EAST COAST             | \$ 4,173,000  | \$ 2,378.61  |
| 039 A027001 | 116 | HIGH ST       | 26:PRIVATE CLUBS        | CUMBERLAND CLUB              | \$ 3,745,400  | \$ 2,134.88  |
| 039 A028001 | 135 | SPRING ST     | 04:BED & BREAKFAST      | THE WREN LLC                 | \$ 1,202,000  | \$ 685.14    |
| 039 A029001 | 133 | SPRING ST     | 27:MULTI-USE COMMERCIAL | STADLER CECILE               | \$ 652,000    | \$ 371.64    |
| 039 A030001 | 131 | SPRING ST     | 27:MULTI-USE COMMERCIAL | NOUVEAU-NE LLC               | \$ 570,600    | \$ 325.24    |
| 039 A031001 | 129 | SPRING ST     | 27:MULTI-USE COMMERCIAL | 129 SPRING STREET LLC        | \$ 678,900    | \$ 386.97    |
| 039 A032001 | 127 | SPRING ST     | 25:PARKING LOTS         | CUMBERLAND CLUB              | \$ 325,600    | \$ 185.59    |
| 039 A035001 | 110 | HIGH ST       | 27:MULTI-USE COMMERCIAL | SOUTH 504 LLC                | \$ 578,700    | \$ 329.86    |

PORTLAND DOWNTOWN DISTRICT PROPERTY LISTING UPDATE FOR FY2022 ASSESSMENTS

| PARCEL ID   | NUM | STREET             | LAND USE CODE              | OWN1                           | NET ASMT      | FEE @ .57    |
|-------------|-----|--------------------|----------------------------|--------------------------------|---------------|--------------|
| 039 A037001 | 106 | HIGH ST            | 21:RETAIL SERVICES         | M2BM LLC                       | \$ 1,041,200  | \$ 593.48    |
| 039 A038001 | 612 | CONGRESS ST        | 21:RETAIL SERVICES         | BLUE BAY LLC                   | \$ 768,500    | \$ 438.05    |
| 039 B001001 | 97  | SPRING ST          | 55:LITERARY & SCIENTIFIC   | PORTLAND MUSEUM OF ART         | \$ -          | \$ -         |
| 039 B003001 | 142 | FREE ST            | 55:LITERARY & SCIENTIFIC   | PORTLAND MUSEUM OF ART         | \$ -          | \$ -         |
| 039 B004001 | 130 | FREE ST            | 25:PARKING LOTS            | MAINEHEALTH                    | \$ 1,447,600  | \$ 825.13    |
| 039 B007001 | 128 | FREE ST            | 21:RETAIL SERVICES         | MAINEHEALTH                    | \$ 590,200    | \$ 336.41    |
| 039 B008001 | 120 | FREE ST            | 25:PARKING LOTS            | MAINEHEALTH                    | \$ 1,145,200  | \$ 652.76    |
| 039 B011001 | 44  | OAK ST             | 20:COMMERCIAL CONDOS       | EVERYTHING LLC                 | \$ 921,200    | \$ 525.08    |
| 039 B011002 | 44  | OAK ST             | 20:COMMERCIAL CONDOS       | EVERYTHING LLC                 | \$ 478,600    | \$ 272.80    |
| 039 B011003 | 44  | OAK ST             | 20:COMMERCIAL CONDOS       | CLOUD SKY LLC                  | \$ 486,900    | \$ 277.53    |
| 039 B011004 | 44  | OAK ST             | 10:CONDOMINIUMS            | KEON MICHAEL P                 | \$ 1,030,400  | \$ 587.33    |
| 039 B013001 | 148 | FREE ST            | 55:LITERARY & SCIENTIFIC   | PORTLAND MUSEUM OF ART         | \$ -          | \$ -         |
| 039 B015001 | 87  | SPRING ST          | 55:LITERARY & SCIENTIFIC   | PORTLAND MUSEUM OF ART         | \$ -          | \$ -         |
| 039 C001002 | 110 | FREE ST            | 54:BENEVOLENT & CHARITABLE | MAINEHEALTH                    | \$ -          | \$ -         |
| 039 C00101A | 110 | FREE ST            | 54:BENEVOLENT & CHARITABLE | MAINEHEALTH                    | \$ -          | \$ -         |
| 039 C00101B | 110 | FREE ST            | 20:COMMERCIAL CONDOS       | MAINEHEALTH                    | \$ 1,428,700  | \$ 814.36    |
| 039 C00101C | 110 | FREE ST            | 20:COMMERCIAL CONDOS       | MAINEHEALTH                    | \$ 2,019,400  | \$ 1,151.06  |
| 039 C0010GB | 110 | FREE ST            | 54:BENEVOLENT & CHARITABLE | MAINEHEALTH                    | \$ -          | \$ -         |
| 039 C0010GC | 110 | FREE ST            | 54:BENEVOLENT & CHARITABLE | MAINEHEALTH                    | \$ -          | \$ -         |
| 039 C001301 | 110 | FREE ST            | 54:BENEVOLENT & CHARITABLE | MAINEHEALTH                    | \$ -          | \$ -         |
| 039 C001302 | 110 | FREE ST            | 54:BENEVOLENT & CHARITABLE | MAINEHEALTH                    | \$ -          | \$ -         |
| 039 C001GA1 | 110 | FREE ST            | 54:BENEVOLENT & CHARITABLE | MAINEHEALTH                    | \$ -          | \$ -         |
| 039 C001GA2 | 110 | FREE ST            | 54:BENEVOLENT & CHARITABLE | MAINEHEALTH                    | \$ -          | \$ -         |
| 039 C002001 | 0   | FREE ST            | 56:GOVERNMENTAL            | CITY OF PORTLAND               | \$ -          | \$ -         |
| 039 D005001 | 98  | HIGH ST            | 56:GOVERNMENTAL            | CITY OF PORTLAND               | \$ -          | \$ -         |
| 039 E001001 | 94  | SPRING ST ARTERIAL | 56:GOVERNMENTAL            | CITY OF PORTLAND               | \$ -          | \$ -         |
| 039 E008001 | 93  | HIGH ST            | 22:OFFICE BUSINESS         | GREATER PORTLAND               | \$ 1,092,900  | \$ 622.95    |
| 039 E009001 | 87  | HIGH ST            | 54:BENEVOLENT & CHARITABLE | ST ELIZABETH'S ROMAN           | \$ -          | \$ -         |
| 039 E010001 | 88  | SPRING ST          | 23:HOTEL & MOTEL           | LAFAYETTE PORTLAND LLC         | \$ 32,201,300 | \$ 18,354.74 |
| 039 F001001 | 40  | SPRING ST ARTERIAL | 25:PARKING LOTS            | LAFAYETTE PORTLAND LLC         | \$ 8,700,000  | \$ 4,959.00  |
| 039 F013001 | 59  | PLEASANT ST        | 32:WAREHOUSE & STORAGE     | BAKERY LIMITED LIABILITY CO    | \$ 2,121,300  | \$ 1,209.14  |
| 039 F017001 | 22  | SOUTH ST           | 12:TWO FAMILY              | LOMBARDI BRIAN D               | \$ 592,400    | \$ 337.67    |
| 039 F018001 | 20  | SOUTH ST           | 12:TWO FAMILY              | SCHMIDT REMINGTON O            | \$ 415,900    | \$ 237.06    |
| 039 F019001 | 18  | SOUTH ST           | 11:SINGLE FAMILY           | LEWIS CLARENCE MICHAEL &       | \$ 619,300    | \$ 353.00    |
| 039 F020001 | 14  | SOUTH ST           | 12:TWO FAMILY              | MCLAUGHLIN KATHERINE A TRUSTEE | \$ 619,900    | \$ 353.34    |
| 039 F021001 | 10  | SOUTH ST           | 25:PARKING LOTS            | BROWN J B & SONS               | \$ 27,500     | \$ 15.68     |
| 039 F022001 | 37  | PLEASANT ST        | 10:CONDOMINIUMS            | SERAICHICK SUSAN &             | \$ 337,100    | \$ 192.15    |



PORTLAND DOWNTOWN DISTRICT PROPERTY LISTING UPDATE FOR FY2022 ASSESSMENTS

| PARCEL ID   | NUM | STREET      | LAND USE CODE           | OWN1                        | NET ASMT     | FEE @ .57   |
|-------------|-----|-------------|-------------------------|-----------------------------|--------------|-------------|
| 039 F022002 | 37  | PLEASANT ST | 10:CONDOMINIUMS         | WEATHERFORD CLAUDINE &      | \$ 334,700   | \$ 190.78   |
| 039 F022003 | 37  | PLEASANT ST | 10:CONDOMINIUMS         | WATSON MICHAEL P &          | \$ 337,100   | \$ 192.15   |
| 039 F022004 | 37  | PLEASANT ST | 10:CONDOMINIUMS         | HOLT MYRA FUJIMOTO TRUSTEE  | \$ 334,700   | \$ 190.78   |
| 039 F022005 | 37  | PLEASANT ST | 10:CONDOMINIUMS         | COMEAU PETER W &            | \$ 337,100   | \$ 192.15   |
| 039 F022006 | 37  | PLEASANT ST | 10:CONDOMINIUMS         | HAAS JOHN E &               | \$ 334,700   | \$ 190.78   |
| 039 F023001 | 35  | PLEASANT ST | 20:COMMERCIAL CONDOS    | 35 PLEASANT ST LLC          | \$ 299,500   | \$ 170.72   |
| 039 F023002 | 35  | PLEASANT ST | 10:CONDOMINIUMS         | REITER LAUREN J &           | \$ 801,300   | \$ 456.74   |
| 039 F025001 | 24  | SOUTH ST    | 58:LAND BANKS           | CITY OF PORTLAND            | \$ -         | \$ -        |
| 039 F026001 | 22  | SOUTH ST    | 40:VACANT LAND          | LOMBARDI DEBRA &            | \$ 70,100    | \$ 39.96    |
| 040 A001001 | 79  | HIGH ST     | 16:11 TO 20 FAMILY      | AVESTA INGRAHAM HOUSE LLC   | \$ 1,039,300 | \$ 592.40   |
| 040 A002001 | 98  | PLEASANT ST | 14:FOUR FAMILY          | O'SULLIVAN PATRICIA &       | \$ 905,200   | \$ 515.96   |
| 040 A003001 | 92  | PLEASANT ST | 12:TWO FAMILY           | CROTEAU COLLEEN O &         | \$ 725,400   | \$ 413.48   |
| 040 A004001 | 88  | PLEASANT ST | 15:5 TO 10 FAMILY       | C M SCRIBNER & CO LIMITED   | \$ 1,366,900 | \$ 779.13   |
| 040 A005001 | 76  | PLEASANT ST | 25:PARKING LOTS         | LAFAYETTE PORTLAND LLC      | \$ 423,200   | \$ 241.22   |
| 040 A008001 | 74  | PLEASANT ST | 25:PARKING LOTS         | BROWN J B & SONS            | \$ 100,900   | \$ 57.51    |
| 040 A009001 | 68  | PLEASANT ST | 14:FOUR FAMILY          | SCHWARTZ DONNA L            | \$ 915,400   | \$ 521.78   |
| 040 A010001 | 54  | MAPLE ST    | 27:MULTI-USE COMMERCIAL | AXE CAP LLC                 | \$ 558,200   | \$ 318.17   |
| 040 A011001 | 67  | HIGH ST     | 11:SINGLE FAMILY        | SCHAIR ANNEMIEKE            | \$ 732,600   | \$ 417.58   |
| 040 A013001 | 53  | DANFORTH ST | 17:21 PLUS FAMILY       | 53 DANFORTH STREET LP       | \$ 5,255,000 | \$ 2,995.35 |
| 040 A014001 | 52  | MAPLE ST    | 11:SINGLE FAMILY        | ADLER BRENT                 | \$ 514,400   | \$ 293.21   |
| 040 A015001 | 65  | HIGH ST     | 15:5 TO 10 FAMILY       | BRICKLIGHT PROPERTIES LLC   | \$ 1,107,600 | \$ 631.33   |
| 040 A016001 | 81  | DANFORTH ST | 17:21 PLUS FAMILY       | DANFORTH ON HIGH LP         | \$ 3,379,900 | \$ 1,926.54 |
| 040 A017001 | 77  | DANFORTH ST | 15:5 TO 10 FAMILY       | EAST DANFORTH LLC           | \$ 1,044,300 | \$ 595.25   |
| 040 A018001 | 75  | DANFORTH ST | 15:5 TO 10 FAMILY       | EAST DANFORTH LLC           | \$ 987,300   | \$ 562.76   |
| 040 A019001 | 71  | DANFORTH ST | 15:5 TO 10 FAMILY       | EAST DANFORTH LLC           | \$ 1,230,300 | \$ 701.27   |
| 040 A022001 | 67  | DANFORTH ST | 15:5 TO 10 FAMILY       | EAST DANFORTH LLC           | \$ 1,101,400 | \$ 627.80   |
| 040 A024001 | 63  | DANFORTH ST | 15:5 TO 10 FAMILY       | EAST DANFORTH LLC           | \$ 721,000   | \$ 410.97   |
| 040 A027001 | 50  | MAPLE ST    | 11:SINGLE FAMILY        | BRIGHAM JORDAN &            | \$ 598,000   | \$ 340.86   |
| 040 A028001 | 46  | MAPLE ST    | 25:PARKING LOTS         | BROWN J B & SONS            | \$ 96,100    | \$ 54.78    |
| 040 A030001 | 69  | HIGH ST     | 16:11 TO 20 FAMILY      | BRICKLIGHT PROPERTIES LLC   | \$ 1,301,300 | \$ 741.74   |
| 040 B001001 | 55  | MAPLE ST    | 25:PARKING LOTS         | BAKERY LIMITED LIABILITY CO | \$ 119,200   | \$ 67.94    |
| 040 B002001 | 58  | PLEASANT ST | 25:PARKING LOTS         | BROWN J B & SONS            | \$ 89,200    | \$ 50.84    |
| 040 B003001 | 54  | PLEASANT ST | 13:THREE FAMILY         | JR SAPPERSTEIN HOLDINGS LLC | \$ 795,000   | \$ 453.15   |
| 040 B004001 | 44  | PLEASANT ST | 27:MULTI-USE COMMERCIAL | 44 PLEASANT STREET LLC      | \$ 1,528,400 | \$ 871.19   |
| 040 B006001 | 40  | PLEASANT ST | 11:SINGLE FAMILY        | SPERRY ELISABETH &          | \$ 972,600   | \$ 554.38   |
| 040 B007001 | 23  | DANFORTH ST | 27:MULTI-USE COMMERCIAL | SCHWARTZ DONNA L            | \$ 682,100   | \$ 388.80   |
| 040 B008001 | 32  | PLEASANT ST | 22:OFFICE BUSINESS      | 32 PLEASANT STREET LLC      | \$ 418,100   | \$ 238.32   |



PORTLAND DOWNTOWN DISTRICT PROPERTY LISTING UPDATE FOR FY2022 ASSESSMENTS

| PARCEL ID   | NUM | STREET      | LAND USE CODE        | OWN1                              | NET ASMT     | FEE @ .57 |
|-------------|-----|-------------|----------------------|-----------------------------------|--------------|-----------|
| 040 B009001 | 30  | PLEASANT ST | 10:CONDOMINIUMS      | LEVANDOSKI THERESE M              | \$ 312,000   | \$ 177.84 |
| 040 B009002 | 30  | PLEASANT ST | 10:CONDOMINIUMS      | HANSON JUNE ANDREA                | \$ 325,900   | \$ 185.76 |
| 040 B009003 | 30  | PLEASANT ST | 10:CONDOMINIUMS      | HOULE RONALD J &                  | \$ 400,800   | \$ 228.46 |
| 040 B010001 | 20  | PLEASANT ST | 12:TWO FAMILY        | 18 PLEASANT STREET ASSOCIATES     | \$ 553,300   | \$ 315.38 |
| 040 B012001 | 18  | PLEASANT ST | 22:OFFICE BUSINESS   | 18 PLEASANT ST ASSOC              | \$ 250,500   | \$ 142.79 |
| 040 B013001 | 14  | PLEASANT ST | 11:SINGLE FAMILY     | GIOBBI CARLO A JR &               | \$ 638,700   | \$ 364.06 |
| 040 B015001 | 10  | PLEASANT ST | 25:PARKING LOTS      | GIOBBI CARLO A JR &               | \$ 43,100    | \$ 24.57  |
| 040 B017001 | 4   | PLEASANT ST | 21:RETAIL SERVICES   | SANTE LLC                         | \$ 114,300   | \$ 65.15  |
| 040 B018001 | 51  | MAPLE ST    | 40:VACANT LAND       | BRIGHAM JORDAN &                  | \$ 16,100    | \$ 9.18   |
| 040 B020001 | 35  | DANFORTH ST | 21:RETAIL SERVICES   | TOBEY LINDA W                     | \$ 689,100   | \$ 392.79 |
| 040 B021001 | 33  | DANFORTH ST | 13:THREE FAMILY      | FOX STEPHEN H                     | \$ 574,600   | \$ 327.52 |
| 040 B022001 | 29  | DANFORTH ST | 40:VACANT LAND       | SCHAIR-CARDONA ERICA &            | \$ 298,000   | \$ 169.86 |
| 040 B023001 | 13  | DANFORTH ST | 25:PARKING LOTS      | WRIGHT-RYAN REAL ESTATE LLC       | \$ 200,800   | \$ 114.46 |
| 040 B028001 | 1   | DANFORTH ST | 21:RETAIL SERVICES   | SANTE LLC                         | \$ 652,500   | \$ 371.93 |
| 040 B032001 | 45  | DANFORTH ST | 21:RETAIL SERVICES   | CIGRI & DENG PROPERTIES LLC       | \$ 506,200   | \$ 288.53 |
| 040 B033001 | 56  | PLEASANT ST | 10:CONDOMINIUMS      | SPRAGUE ERIC T                    | \$ 339,000   | \$ 193.23 |
| 040 B033002 | 56  | PLEASANT ST | 10:CONDOMINIUMS      | MARCOUX VANESSA L &               | \$ 374,800   | \$ 213.64 |
| 040 B033003 | 56  | PLEASANT ST | 10:CONDOMINIUMS      | RUNNING SALLY                     | \$ 358,300   | \$ 204.23 |
| 040 C001001 | 51  | HIGH ST     | 16:11 TO 20 FAMILY   | GILLIS PETER J                    | \$ 1,374,800 | \$ 783.64 |
| 040 C002001 | 78  | DANFORTH ST | 15:5 TO 10 FAMILY    | WEST COMPANY                      | \$ 1,124,800 | \$ 641.14 |
| 040 C005001 | 101 | YORK ST     | 20:COMMERCIAL CONDOS | BROWN J B & SONS                  | \$ 1,586,800 | \$ 904.48 |
| 040 C005201 | 25  | HIGH ST     | 10:CONDOMINIUMS      | VEALE PATRICK J &                 | \$ 482,400   | \$ 274.97 |
| 040 C005202 | 25  | HIGH ST     | 10:CONDOMINIUMS      | ESCHBACH KELLY S &                | \$ 340,500   | \$ 194.09 |
| 040 C005203 | 25  | HIGH ST     | 10:CONDOMINIUMS      | KLEINLERER MICHAL FRED A          | \$ 465,200   | \$ 265.16 |
| 040 C005204 | 25  | HIGH ST     | 10:CONDOMINIUMS      | PARK KYUNG SAM                    | \$ 389,800   | \$ 222.19 |
| 040 C005206 | 25  | HIGH ST     | 10:CONDOMINIUMS      | MYSA RENTALS LLC                  | \$ 341,800   | \$ 194.83 |
| 040 C005207 | 25  | HIGH ST     | 10:CONDOMINIUMS      | CARRAHER DARIN L                  | \$ 337,900   | \$ 192.60 |
| 040 C005208 | 25  | HIGH ST     | 10:CONDOMINIUMS      | LAGHAEI FARID &                   | \$ 452,200   | \$ 257.75 |
| 040 C005209 | 25  | HIGH ST     | 10:CONDOMINIUMS      | GATOS PAMELA &                    | \$ 452,200   | \$ 257.75 |
| 040 C005210 | 25  | HIGH ST     | 10:CONDOMINIUMS      | 239 MADISON AVENUE ASSOCIATES LLC | \$ 458,200   | \$ 261.17 |
| 040 C005211 | 25  | HIGH ST     | 10:CONDOMINIUMS      | LIEBERMAN KYLE A ETAL JTS         | \$ 457,300   | \$ 260.66 |
| 040 C005212 | 25  | HIGH ST     | 10:CONDOMINIUMS      | WEATHERILL CAROLINE AVERY         | \$ 432,300   | \$ 246.41 |
| 040 C005213 | 25  | HIGH ST     | 10:CONDOMINIUMS      | PRICE JASON LLOYD &               | \$ 432,300   | \$ 246.41 |
| 040 C005214 | 25  | HIGH ST     | 10:CONDOMINIUMS      | DIRECTOR STEVEN &                 | \$ 457,300   | \$ 260.66 |
| 040 C005215 | 25  | HIGH ST     | 10:CONDOMINIUMS      | CUSHMAN ROBIN MARI TRUSTEE        | \$ 512,800   | \$ 292.30 |
| 040 C005216 | 25  | HIGH ST     | 10:CONDOMINIUMS      | CHADBOURNE DENNIS S               | \$ 458,700   | \$ 261.46 |
| 040 C005301 | 25  | HIGH ST     | 10:CONDOMINIUMS      | LYONS THOMAS W &                  | \$ 457,400   | \$ 260.72 |

PORTLAND DOWNTOWN DISTRICT PROPERTY LISTING UPDATE FOR FY2022 ASSESSMENTS

| PARCEL ID   | NUM | STREET  | LAND USE CODE   | OWN1                    | NET ASMT   | FEE @ .57 |
|-------------|-----|---------|-----------------|-------------------------|------------|-----------|
| 040 C005302 | 25  | HIGH ST | 10:CONDOMINIUMS | HARROW DAVID            | \$ 340,500 | \$ 194.09 |
| 040 C005303 | 25  | HIGH ST | 10:CONDOMINIUMS | SMITH TEALE &           | \$ 465,200 | \$ 265.16 |
| 040 C005304 | 25  | HIGH ST | 10:CONDOMINIUMS | BROWN LAUREN HINSON &   | \$ 389,800 | \$ 222.19 |
| 040 C005305 | 25  | HIGH ST | 10:CONDOMINIUMS | WRIGHT WILLIAM R &      | \$ 471,200 | \$ 268.58 |
| 040 C005306 | 25  | HIGH ST | 10:CONDOMINIUMS | LACOGNATA STUART A      | \$ 341,800 | \$ 194.83 |
| 040 C005307 | 25  | HIGH ST | 10:CONDOMINIUMS | GRIFFIN ALEXANDER &     | \$ 337,900 | \$ 192.60 |
| 040 C005308 | 25  | HIGH ST | 10:CONDOMINIUMS | MARTINEZ DANIEL M &     | \$ 452,200 | \$ 257.75 |
| 040 C005309 | 25  | HIGH ST | 10:CONDOMINIUMS | ADLER SUSAN             | \$ 427,200 | \$ 243.50 |
| 040 C005310 | 25  | HIGH ST | 10:CONDOMINIUMS | MORRIS AARON            | \$ 433,200 | \$ 246.92 |
| 040 C005311 | 25  | HIGH ST | 10:CONDOMINIUMS | LAMPNER GLENNA H &      | \$ 457,300 | \$ 260.66 |
| 040 C005312 | 25  | HIGH ST | 10:CONDOMINIUMS | MCCARTHY SHAUN N &      | \$ 457,300 | \$ 260.66 |
| 040 C005313 | 25  | HIGH ST | 10:CONDOMINIUMS | GRIDLEY GUY G           | \$ 457,300 | \$ 260.66 |
| 040 C005314 | 25  | HIGH ST | 10:CONDOMINIUMS | MAHMOUD AMMAR           | \$ 457,300 | \$ 260.66 |
| 040 C005315 | 25  | HIGH ST | 10:CONDOMINIUMS | MARICHEL LLC            | \$ 537,800 | \$ 306.55 |
| 040 C005316 | 25  | HIGH ST | 10:CONDOMINIUMS | MILLER DEREK            | \$ 433,700 | \$ 247.21 |
| 040 C005401 | 25  | HIGH ST | 10:CONDOMINIUMS | KEELING MATTHEW R &     | \$ 481,600 | \$ 274.51 |
| 040 C005402 | 25  | HIGH ST | 10:CONDOMINIUMS | TAMASHIRO KASEY-KALEI   | \$ 357,500 | \$ 203.78 |
| 040 C005403 | 25  | HIGH ST | 10:CONDOMINIUMS | WOON ASHLEY HARDI       | \$ 488,400 | \$ 278.39 |
| 040 C005404 | 25  | HIGH ST | 10:CONDOMINIUMS | MORSE KRISTY M          | \$ 384,300 | \$ 219.05 |
| 040 C005405 | 25  | HIGH ST | 10:CONDOMINIUMS | CHEUNG PATRICIA K       | \$ 494,800 | \$ 282.04 |
| 040 C005406 | 25  | HIGH ST | 10:CONDOMINIUMS | SKACEL LAURA E          | \$ 358,900 | \$ 204.57 |
| 040 C005407 | 25  | HIGH ST | 10:CONDOMINIUMS | SHELLEY W KIRBY &       | \$ 329,800 | \$ 187.99 |
| 040 C005408 | 25  | HIGH ST | 10:CONDOMINIUMS | WELCH STANLEY E &       | \$ 474,800 | \$ 270.64 |
| 040 C005409 | 25  | HIGH ST | 10:CONDOMINIUMS | PIASIO GEOFF B          | \$ 474,800 | \$ 270.64 |
| 040 C005410 | 25  | HIGH ST | 10:CONDOMINIUMS | SADLER CLIFFORD H &     | \$ 456,100 | \$ 259.98 |
| 040 C005411 | 25  | HIGH ST | 10:CONDOMINIUMS | SCHAFER MORGAN &        | \$ 480,200 | \$ 273.71 |
| 040 C005412 | 25  | HIGH ST | 10:CONDOMINIUMS | KRONENBERG MARIANNE L & | \$ 480,200 | \$ 273.71 |
| 040 C005413 | 25  | HIGH ST | 10:CONDOMINIUMS | DORNEMAN PENELOPE LEE & | \$ 480,200 | \$ 273.71 |
| 040 C005414 | 25  | HIGH ST | 10:CONDOMINIUMS | BARNETT THOMAS R &      | \$ 480,200 | \$ 273.71 |
| 040 C005415 | 25  | HIGH ST | 10:CONDOMINIUMS | MUNDHENK THOMAS &       | \$ 539,700 | \$ 307.63 |
| 040 C005416 | 25  | HIGH ST | 10:CONDOMINIUMS | ROSS NATHAN T &         | \$ 481,600 | \$ 274.51 |
| 040 C005501 | 25  | HIGH ST | 10:CONDOMINIUMS | CHANG BENNY &           | \$ 554,800 | \$ 316.24 |
| 040 C005502 | 25  | HIGH ST | 10:CONDOMINIUMS | JOHNSTON EDWARD R &     | \$ 391,500 | \$ 223.16 |
| 040 C005503 | 25  | HIGH ST | 10:CONDOMINIUMS | HARK ROBERT S &         | \$ 509,900 | \$ 290.64 |
| 040 C005504 | 25  | HIGH ST | 10:CONDOMINIUMS | FREEDMAN PAUL R TRUSTEE | \$ 448,300 | \$ 255.53 |
| 040 C005505 | 25  | HIGH ST | 10:CONDOMINIUMS | JOHNSON THOMAS          | \$ 516,900 | \$ 294.63 |
| 040 C005506 | 25  | HIGH ST | 10:CONDOMINIUMS | MARSDEN DAVID &         | \$ 393,000 | \$ 224.01 |

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|-------------|-----|---------------|-------------------------|-----------------------------|---------------|--------------|
| 040 C005507 | 25  | HIGH ST       | 10:CONDOMINIUMS         | LADAN LUKA                  | \$ 388,500    | \$ 221.45    |
| 040 C005508 | 25  | HIGH ST       | 10:CONDOMINIUMS         | CARTER DONALD D JR &        | \$ 495,000    | \$ 282.15    |
| 040 C005509 | 25  | HIGH ST       | 10:CONDOMINIUMS         | GALLUZZO DONNA &            | \$ 520,000    | \$ 296.40    |
| 040 C005510 | 25  | HIGH ST       | 10:CONDOMINIUMS         | LARLEE BRENT A &            | \$ 527,000    | \$ 300.39    |
| 040 C005511 | 25  | HIGH ST       | 10:CONDOMINIUMS         | OSTERGAARD LLC              | \$ 526,000    | \$ 299.82    |
| 040 C005512 | 25  | HIGH ST       | 10:CONDOMINIUMS         | DANIELSEN KERRY E           | \$ 526,000    | \$ 299.82    |
| 040 C005513 | 25  | HIGH ST       | 10:CONDOMINIUMS         | CONRAD ERIC &               | \$ 526,000    | \$ 299.82    |
| 040 C005514 | 25  | HIGH ST       | 10:CONDOMINIUMS         | SHAW DAVID E &              | \$ 526,000    | \$ 299.82    |
| 040 C005515 | 25  | HIGH ST       | 10:CONDOMINIUMS         | PARK MIRI                   | \$ 618,500    | \$ 352.55    |
| 040 C005516 | 25  | HIGH ST       | 10:CONDOMINIUMS         | STEWART ROBERT W TRUSTEE    | \$ 527,500    | \$ 300.68    |
| 040 C009001 | 50  | DANFORTH ST   | 31:MANUFACTURING        | BROWN J B & SONS            | \$ 1,234,700  | \$ 703.78    |
| 040 C014001 | 41  | HIGH ST       | 14:FOUR FAMILY          | SACRE LINDA &               | \$ 675,000    | \$ 384.75    |
| 040 C015001 | 37  | HIGH ST       | 10:CONDOMINIUMS         | CORRALES ANNAMARIE &        | \$ 272,600    | \$ 155.38    |
| 040 C015002 | 37  | HIGH ST       | 10:CONDOMINIUMS         | SOLSTICE INVESTMENTS LLC    | \$ 161,200    | \$ 91.88     |
| 040 C015003 | 37  | HIGH ST       | 10:CONDOMINIUMS         | BAILLARGEON CHARLES C       | \$ 312,400    | \$ 178.07    |
| 040 C015004 | 37  | HIGH ST       | 10:CONDOMINIUMS         | THIS THYME AROUND LLC       | \$ 216,900    | \$ 123.63    |
| 040 C016001 | 31  | HIGH ST       | 12:TWO FAMILY           | BERNOTAVICZ JARAD           | \$ 606,400    | \$ 345.65    |
| 040 C021001 | 27  | HIGH ST       | 27:MULTI-USE COMMERCIAL | BROWN J B & SONS            | \$ 6,330,000  | \$ 3,608.10  |
| 040 C026001 | 75  | YORK ST       | 24:WHOLESALE            | 75 YORK STREET LLC          | \$ 1,328,500  | \$ 757.25    |
| 040 C030001 | 53  | YORK ST       | 21:RETAIL SERVICES      | CASTINE 53 LLC              | \$ 2,133,900  | \$ 1,216.32  |
| 040 D001001 | 20  | DANFORTH ST   | 22:OFFICE BUSINESS      | BROWN J B & SONS            | \$ 6,121,100  | \$ 3,489.03  |
| 040 D002001 | 10  | DANFORTH ST   | 22:OFFICE BUSINESS      | WRIGHT-RYAN REAL ESTATE LLC | \$ 1,667,900  | \$ 950.70    |
| 040 E001001 | 40  | YORK ST       | 25:PARKING LOTS         | BROWN J B & SONS            | \$ 1,176,500  | \$ 670.61    |
| 040 E003001 | 311 | COMMERCIAL ST | 10:CONDOMINIUMS         | SAMBATAKOS JOHN P &         | \$ 537,700    | \$ 306.49    |
| 040 E003002 | 311 | COMMERCIAL ST | 10:CONDOMINIUMS         | HIGONNET CAMILLE            | \$ 437,900    | \$ 249.60    |
| 040 E003003 | 311 | COMMERCIAL ST | 10:CONDOMINIUMS         | WOODS MARY A &              | \$ 372,500    | \$ 212.33    |
| 040 E003004 | 311 | COMMERCIAL ST | 10:CONDOMINIUMS         | LEVIN-MARTIN MINDY F &      | \$ 541,200    | \$ 308.48    |
| 040 E003005 | 311 | COMMERCIAL ST | 10:CONDOMINIUMS         | TAYLOR-CHIARELLO ROBIN      | \$ 593,500    | \$ 338.30    |
| 040 E003006 | 311 | COMMERCIAL ST | 10:CONDOMINIUMS         | DODGE MEREDITH A &          | \$ 532,300    | \$ 303.41    |
| 040 E003007 | 311 | COMMERCIAL ST | 10:CONDOMINIUMS         | KRUIHOFF CATHERINE H &      | \$ 389,200    | \$ 221.84    |
| 040 E003008 | 311 | COMMERCIAL ST | 10:CONDOMINIUMS         | DODGE MEREDITH A &          | \$ 453,300    | \$ 258.38    |
| 040 E003009 | 311 | COMMERCIAL ST | 10:CONDOMINIUMS         | KROON THOMAS J &            | \$ 472,000    | \$ 269.04    |
| 040 E00300H | 311 | COMMERCIAL ST | 20:COMMERCIAL CONDOS    | JBB HOSPITALITY I LLC       | \$ 31,863,200 | \$ 18,162.02 |
| 040 E00300R | 311 | COMMERCIAL ST | 20:COMMERCIAL CONDOS    | TIQA LEGACY LLC             | \$ 1,315,000  | \$ 749.55    |
| 040 E003010 | 311 | COMMERCIAL ST | 10:CONDOMINIUMS         | GRIMM KRISTY &              | \$ 714,000    | \$ 406.98    |
| 040 E003011 | 311 | COMMERCIAL ST | 10:CONDOMINIUMS         | CLANCY PAUL                 | \$ 498,500    | \$ 284.15    |
| 040 E003012 | 311 | COMMERCIAL ST | 10:CONDOMINIUMS         | HOUCK THOMAS K &            | \$ 532,300    | \$ 303.41    |

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|-------------|-----|---------------|-------------------------|-------------------------|---------------|--------------|
| 040 E003013 | 311 | COMMERCIAL ST | 10:CONDOMINIUMS         | SNITE DEBORAH           | \$ 450,500    | \$ 256.79    |
| 040 E003014 | 311 | COMMERCIAL ST | 10:CONDOMINIUMS         | POWER CHRISTOPHER J &   | \$ 513,700    | \$ 292.81    |
| 040 F009001 | 305 | COMMERCIAL ST | 27:MULTI-USE COMMERCIAL | BAXTER PLACE LLC        | \$ 12,160,000 | \$ 6,931.20  |
| 040 F011001 | 14  | YORK ST       | 22:OFFICE BUSINESS      | BROWN J B & SONS        | \$ 4,195,700  | \$ 2,391.55  |
| 041 A015001 | 260 | COMMERCIAL ST | 24:WHOLESALE            | WATERFRONT MAINE BT LLC | \$ 2,270,600  | \$ 1,294.24  |
| 041 A016001 | 252 | COMMERCIAL ST | 22:OFFICE BUSINESS      | WATERFRONT MAINE        | \$ 22,937,700 | \$ 13,074.49 |
| 042 A001001 | 379 | COMMERCIAL ST | 23:HOTEL & MOTEL        | NPCC LLC                | \$ 22,288,500 | \$ 12,704.45 |
| 042 A002140 | 383 | COMMERCIAL ST | 20:COMMERCIAL CONDOS    | DEERING PROPERTY        | \$ 245,400    | \$ 139.88    |
| 042 A002141 | 383 | COMMERCIAL ST | 20:COMMERCIAL CONDOS    | DEERING PROPERTY        | \$ 128,600    | \$ 73.30     |
| 042 A002143 | 383 | COMMERCIAL ST | 20:COMMERCIAL CONDOS    | DEERING PROPERTY        | \$ 202,500    | \$ 115.43    |
| 042 A002144 | 383 | COMMERCIAL ST | 20:COMMERCIAL CONDOS    | DEERING PROPERTY        | \$ 239,500    | \$ 136.52    |
| 042 A002145 | 383 | COMMERCIAL ST | 20:COMMERCIAL CONDOS    | DEERING PROPERTY        | \$ 85,500     | \$ 48.74     |
| 042 A002146 | 383 | COMMERCIAL ST | 20:COMMERCIAL CONDOS    | DEERING PROPERTY        | \$ 1,140,000  | \$ 649.80    |
| 042 A002200 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS         | BRUCE ELIZABETH B       | \$ 595,000    | \$ 339.15    |
| 042 A002201 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS         | DEERING PROPERTY        | \$ 362,600    | \$ 206.68    |
| 042 A002202 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS         | DEERING PROPERTY        | \$ 415,600    | \$ 236.89    |
| 042 A002203 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS         | ALEXANDER LORI &        | \$ 433,700    | \$ 247.21    |
| 042 A002204 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS         | YOUNG BRADLEY S &       | \$ 458,400    | \$ 261.29    |
| 042 A002300 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS         | STINSON MARTHA          | \$ 691,800    | \$ 394.33    |
| 042 A002301 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS         | DEERING PROPERTY        | \$ 739,600    | \$ 421.57    |
| 042 A002302 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS         | DEERING PROPERTY        | \$ 542,400    | \$ 309.17    |
| 042 A002303 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS         | LANE RYAN S             | \$ 423,900    | \$ 241.62    |
| 042 A002304 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS         | SKELLY ABIGAIL M &      | \$ 538,300    | \$ 306.83    |
| 042 A002305 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS         | DEERING PROPERTY        | \$ 423,900    | \$ 241.62    |
| 042 A002306 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS         | LEE FRANK               | \$ 395,400    | \$ 225.38    |
| 042 A002307 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS         | DEERING PROPERTY        | \$ 857,800    | \$ 488.95    |
| 042 A002308 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS         | DEERING PROPERTY        | \$ 423,400    | \$ 241.34    |
| 042 A002309 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS         | DEERING PROPERTY        | \$ 621,100    | \$ 354.03    |
| 042 A002310 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS         | MUMME YVONNE B &        | \$ 562,900    | \$ 320.85    |
| 042 A002311 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS         | DIRKMAAT ERIK L &       | \$ 837,400    | \$ 477.32    |
| 042 A002312 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS         | DEERING PROPERTY        | \$ 410,300    | \$ 233.87    |
| 042 A002313 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS         | DEERING PROPERTY        | \$ 419,700    | \$ 239.23    |
| 042 A002314 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS         | DEVLIN ELIZABETH &      | \$ 539,400    | \$ 307.46    |
| 042 A002315 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS         | DEERING PROPERTY        | \$ 431,500    | \$ 245.96    |
| 042 A002316 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS         | FECHER RICHARD J &      | \$ 537,300    | \$ 306.26    |
| 042 A002317 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS         | KENNEDY TODD M          | \$ 379,500    | \$ 216.32    |
| 042 A002318 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS         | FAVREAU SCOTT A &       | \$ 536,900    | \$ 306.03    |

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|-------------|-----|---------------|-----------------|---------------------------|--------------|-----------|
| 042 A002319 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | UZEE JOHN H               | \$ 691,400   | \$ 394.10 |
| 042 A002320 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | KALM HARBOUR LLC          | \$ 440,800   | \$ 251.26 |
| 042 A002321 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | HALLOCK BRADLEY L &       | \$ 719,600   | \$ 410.17 |
| 042 A002400 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | MJECO LLC                 | \$ 719,100   | \$ 409.89 |
| 042 A002401 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | COOK RICHARD F JR         | \$ 647,800   | \$ 369.25 |
| 042 A002402 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | CARAMANDO ANTHONY N       | \$ 593,000   | \$ 338.01 |
| 042 A002403 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | TIDD PAULETTE S           | \$ 512,800   | \$ 292.30 |
| 042 A002404 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | DEERING PROPERTY          | \$ 574,500   | \$ 327.47 |
| 042 A002405 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | DEERING PROPERTY          | \$ 435,400   | \$ 248.18 |
| 042 A002406 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | DEERING PROPERTY          | \$ 435,400   | \$ 248.18 |
| 042 A002407 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | DEERING PROPERTY          | \$ 911,900   | \$ 519.78 |
| 042 A002408 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | RUGGLES PATRICIA WELLS    | \$ 455,400   | \$ 259.58 |
| 042 A002409 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | DEERING PROPERTY          | \$ 756,800   | \$ 431.38 |
| 042 A002410 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | HOLMES JOANNE C TRUSTEE   | \$ 574,500   | \$ 327.47 |
| 042 A002411 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | TOPPER DAVID C &          | \$ 892,800   | \$ 508.90 |
| 042 A002412 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | DARBY DOUGLAS M           | \$ 485,900   | \$ 276.96 |
| 042 A002413 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | DERRIEY LIONEL H          | \$ 493,300   | \$ 281.18 |
| 042 A002414 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | NEWMAN SUSANNE HICKS      | \$ 716,600   | \$ 408.46 |
| 042 A002415 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | DEERING PROPERTY          | \$ 435,400   | \$ 248.18 |
| 042 A002416 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | SIMONDS MELISSA G         | \$ 599,300   | \$ 341.60 |
| 042 A002417 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | CEFALO KYLE J             | \$ 490,900   | \$ 279.81 |
| 042 A002419 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | PRATT CAROLYN R           | \$ 647,900   | \$ 369.30 |
| 042 A002420 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | PARK DIANA L &            | \$ 1,031,400 | \$ 587.90 |
| 042 A002421 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | DARBY CORINN A            | \$ 783,500   | \$ 446.60 |
| 042 A002500 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | CHILDRESS JAMES WOODROW & | \$ 786,100   | \$ 448.08 |
| 042 A002501 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | HARVEY WHITNEY N          | \$ 675,000   | \$ 384.75 |
| 042 A002502 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | BRIKIATIS SYLVIE &        | \$ 648,800   | \$ 369.82 |
| 042 A002503 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | KOZLOWSKI BENJAMIN        | \$ 565,400   | \$ 322.28 |
| 042 A002504 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | GRADY JANET M             | \$ 657,400   | \$ 374.72 |
| 042 A002505 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | DEERING PROPERTY          | \$ 493,300   | \$ 281.18 |
| 042 A002506 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | DEERING PROPERTY          | \$ 495,300   | \$ 282.32 |
| 042 A002507 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | LAFFERTY JEROME S &       | \$ 966,000   | \$ 550.62 |
| 042 A002509 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | NIERMAN MERYL E           | \$ 1,158,100 | \$ 660.12 |
| 042 A002510 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | NGUYEN DOUGLAS            | \$ 603,500   | \$ 344.00 |
| 042 A002511 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | DEERING PROPERTY          | \$ 932,300   | \$ 531.41 |
| 042 A002512 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | COSTANTINO PAUL &         | \$ 529,100   | \$ 301.59 |
| 042 A002513 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS | DEERING PROPERTY          | \$ 514,900   | \$ 293.49 |



PORTLAND DOWNTOWN DISTRICT PROPERTY LISTING UPDATE FOR FY2022 ASSESSMENTS

| PARCEL ID   | NUM | STREET        | LAND USE CODE            | OWN1                         | NET ASMT     | FEE @ .57   |
|-------------|-----|---------------|--------------------------|------------------------------|--------------|-------------|
| 042 A002514 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS          | GLOVER DAWSON COLEMAN IV     | \$ 724,400   | \$ 412.91   |
| 042 A002515 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS          | DEERING PROPERTY             | \$ 493,300   | \$ 281.18   |
| 042 A002516 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS          | RITTENBERG RHONDA L &        | \$ 650,900   | \$ 371.01   |
| 042 A002517 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS          | DEERING PROPERTY             | \$ 512,800   | \$ 292.30   |
| 042 A002519 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS          | METZ CHRISTINE MARY &        | \$ 716,100   | \$ 408.18   |
| 042 A002520 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS          | OTTOLINI MARY C &            | \$ 1,121,800 | \$ 639.43   |
| 042 A002521 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS          | DAVIN CHRISTOPHER P &        | \$ 887,900   | \$ 506.10   |
| 042 A002600 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS          | DEERING PROPERTY             | \$ 1,327,500 | \$ 756.68   |
| 042 A002601 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS          | DEERING PROPERTY             | \$ 1,364,300 | \$ 777.65   |
| 042 A002602 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS          | DEERING PROPERTY             | \$ 719,800   | \$ 410.29   |
| 042 A002603 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS          | DEERING PROPERTY             | \$ 1,375,500 | \$ 784.04   |
| 042 A002604 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS          | DEERING PROPERTY             | \$ 911,500   | \$ 519.56   |
| 042 A002605 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS          | DEERING PROPERTY             | \$ 706,100   | \$ 402.48   |
| 042 A002606 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS          | DRIZLIKH NIMROD E            | \$ 606,100   | \$ 345.48   |
| 042 A002607 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS          | DEERING PROPERTY             | \$ 1,080,500 | \$ 615.89   |
| 042 A002608 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS          | DEERING PROPERTY             | \$ 588,400   | \$ 335.39   |
| 042 A002609 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS          | DEERING PROPERTY             | \$ 1,519,300 | \$ 866.00   |
| 042 A002610 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS          | DEERING PROPERTY             | \$ 1,282,500 | \$ 731.03   |
| 042 A002611 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS          | DEERING PROPERTY             | \$ 2,114,600 | \$ 1,205.32 |
| 042 A002701 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS          | DEERING PROPERTY             | \$ 2,806,300 | \$ 1,599.59 |
| 042 A002702 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS          | DEERING PROPERTY             | \$ 2,134,500 | \$ 1,216.67 |
| 042 A002704 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS          | DEERING PROPERTY             | \$ 1,192,800 | \$ 679.90   |
| 042 A002705 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS          | DEERING PROPERTY             | \$ 2,140,100 | \$ 1,219.86 |
| 042 A002706 | 383 | COMMERCIAL ST | 10:CONDOMINIUMS          | DEERING PROPERTY             | \$ 2,754,900 | \$ 1,570.29 |
| 042 A003001 | 387 | COMMERCIAL ST | 21:RETAIL SERVICES       | DPD LOT 3 LLC                | \$ 846,700   | \$ 482.62   |
| 042 A007001 | 54  | YORK ST       | 55:LITERARY & SCIENTIFIC | UNITY COLLEGE                | \$ -         | \$ -        |
| 042 C001110 | 344 | COMMERCIAL ST | 55:LITERARY & SCIENTIFIC | GULF OF MAINE PROPERTIES INC | \$ -         | \$ -        |
| 042 C001120 | 344 | COMMERCIAL ST | 55:LITERARY & SCIENTIFIC | GULF OF MAINE PROPERTIES INC | \$ -         | \$ -        |
| 042 C001130 | 344 | COMMERCIAL ST | 20:COMMERCIAL CONDOS     | GULF OF MAINE PROPERTIES INC | \$ 239,100   | \$ 136.29   |
| 042 C00114A | 344 | COMMERCIAL ST | 20:COMMERCIAL CONDOS     | GULF OF MAINE PROPERTIES INC | \$ 167,700   | \$ 95.59    |
| 042 C00114B | 344 | COMMERCIAL ST | 20:COMMERCIAL CONDOS     | GULF OF MAINE PROPERTIES INC | \$ 86,500    | \$ 49.31    |
| 042 C00114C | 344 | COMMERCIAL ST | 20:COMMERCIAL CONDOS     | GULF OF MAINE PROPERTIES INC | \$ 41,000    | \$ 23.37    |
| 042 C00114D | 344 | COMMERCIAL ST | 20:COMMERCIAL CONDOS     | GULF OF MAINE PROPERTIES INC | \$ 40,600    | \$ 23.14    |
| 042 C001150 | 344 | COMMERCIAL ST | 55:LITERARY & SCIENTIFIC | GULF OF MAINE PROPERTIES INC | \$ -         | \$ -        |
| 042 C001160 | 344 | COMMERCIAL ST | 20:COMMERCIAL CONDOS     | GULF OF MAINE PROPERTIES INC | \$ 38,500    | \$ 21.95    |
| 042 C001170 | 344 | COMMERCIAL ST | 20:COMMERCIAL CONDOS     | GULF OF MAINE PROPERTIES INC | \$ 38,200    | \$ 21.77    |
| 042 C00118A | 344 | COMMERCIAL ST | 20:COMMERCIAL CONDOS     | GULF OF MAINE PROPERTIES INC | \$ 60,600    | \$ 34.54    |

PORTLAND DOWNTOWN DISTRICT PROPERTY LISTING UPDATE FOR FY2022 ASSESSMENTS

| PARCEL ID   | NUM | STREET        | LAND USE CODE            | OWN1                             | NET ASMT                | FEE @ .57              |
|-------------|-----|---------------|--------------------------|----------------------------------|-------------------------|------------------------|
| 042 C00118B | 344 | COMMERCIAL ST | 55:LITERARY & SCIENTIFIC | GULF OF MAINE PROPERTIES INC     | \$ -                    | \$ -                   |
| 042 C001190 | 344 | COMMERCIAL ST | 20:COMMERCIAL CONDOS     | GULF OF MAINE PROPERTIES INC     | \$ 58,800               | \$ 33.52               |
| 042 C001210 | 344 | COMMERCIAL ST | 55:LITERARY & SCIENTIFIC | GULF OF MAINE PROPERTIES INC     | \$ -                    | \$ -                   |
| 042 C001310 | 344 | COMMERCIAL ST | 55:LITERARY & SCIENTIFIC | GULF OF MAINE PROPERTIES INC     | \$ -                    | \$ -                   |
| 042 C001320 | 344 | COMMERCIAL ST | 55:LITERARY & SCIENTIFIC | GULF OF MAINE PROPERTIES INC     | \$ -                    | \$ -                   |
| 042 C001330 | 344 | COMMERCIAL ST | 55:LITERARY & SCIENTIFIC | GULF OF MAINE PROPERTIES INC     | \$ -                    | \$ -                   |
| 042 C001CCL | 344 | COMMERCIAL ST | 55:LITERARY & SCIENTIFIC | GULF OF MAINE PROPERTIES INC     | \$ -                    | \$ -                   |
| 045 A001001 | 660 | CONGRESS ST   | 27:MULTI-USE COMMERCIAL  | A K LONGFELLOW LLC               | \$ 578,400              | \$ 329.69              |
| 045 A002001 | 656 | CONGRESS ST   | 27:MULTI-USE COMMERCIAL  | RICE GEOFFREY I                  | \$ 2,155,300            | \$ 1,228.52            |
| 045 A003001 | 638 | CONGRESS ST   | 27:MULTI-USE COMMERCIAL  | 638 CONGRESS STREET              | \$ 14,389,400           | \$ 8,201.96            |
| 045 A033001 | 177 | STATE ST      | 15:5 TO 10 FAMILY        | RANS LLC                         | \$ 968,600              | \$ 552.10              |
| 045 A034001 | 664 | CONGRESS ST   | 21:RETAIL SERVICES       | RANS LLC                         | \$ 919,900              | \$ 524.34              |
| 045 A035001 | 670 | CONGRESS ST   | 21:RETAIL SERVICES       | LONGFELLOW SQUARE                | \$ 896,300              | \$ 510.89              |
| 046 C011001 | 675 | CONGRESS ST   | 27:MULTI-USE COMMERCIAL  | RITA LINDA LLC                   | \$ 698,500              | \$ 398.15              |
| 046 C012001 | 673 | CONGRESS ST   | 21:RETAIL SERVICES       | DOUKAS ANDREW J                  | \$ 342,500              | \$ 195.23              |
| 046 C013001 | 671 | CONGRESS ST   | 21:RETAIL SERVICES       | DOUKAS ANDREW J &                | \$ 342,100              | \$ 195.00              |
| 046 C019001 | 667 | CONGRESS ST   | 27:MULTI-USE COMMERCIAL  | REDFERN LONGFELLOW LLC           | \$ 31,567,000           | \$ 17,993.19           |
| 046 D008001 | 15  | AVON ST       | 11:SINGLE FAMILY         | WIEDERKEHR RYAN A                | \$ 553,300              | \$ 315.38              |
| 046 D017001 | 156 | HIGH ST       | 53:RELIGIOUS             | WILLISTON-IMMANUEL UNITED CHURCH | \$ -                    | \$ -                   |
| 046 D018001 | 653 | CONGRESS ST   | 21:RETAIL SERVICES       | RICE GEOFFREY TRUSTEE            | \$ 437,500              | \$ 249.38              |
| 046 D021001 | 655 | CONGRESS ST   | 27:MULTI-USE COMMERCIAL  | TRELAUNY 657 LLC                 | \$ 15,967,100           | \$ 9,101.25            |
| 046 D022001 | 645 | CONGRESS ST   | 27:MULTI-USE COMMERCIAL  | BAYSIDE MAINE LLC                | \$ 7,816,700            | \$ 4,455.52            |
| 046 D026001 | 633 | CONGRESS ST   | 27:MULTI-USE COMMERCIAL  | BURNHAM ARMS LLC                 | \$ 5,907,100            | \$ 3,367.05            |
| 046 D027001 | 629 | CONGRESS ST   | 40:VACANT LAND           | BURNHAM ARMS ANNEX LLC           | \$ 301,800              | \$ 172.03              |
| 046 D028001 | 625 | CONGRESS ST   | 21:RETAIL SERVICES       | BURNHAM ARMS ANNEX LLC           | \$ 568,500              | \$ 324.05              |
| 046 D029001 | 619 | CONGRESS ST   | 22:OFFICE BUSINESS       | BAXTER BUILDING LLC              | \$ 5,069,200            | \$ 2,889.44            |
| 046 D031001 | 142 | HIGH ST       | 22:OFFICE BUSINESS       | CROSTONE PORTLAND LLC            | \$ 5,438,500            | \$ 3,099.95            |
| 055 E037001 | 190 | STATE ST      | 27:MULTI-USE COMMERCIAL  | HUCKSTER'S ROW PROPERTIES LLC    | \$ 1,208,900            | \$ 689.07              |
| 055 E039001 | 188 | STATE ST      | 27:MULTI-USE COMMERCIAL  | LONGFELLOW SQUARE                | \$ 1,701,600            | \$ 969.91              |
| 444 A001001 | 54  | COMMERCIAL ST | 56:GOVERNMENTAL          | CITY OF PORTLAND                 | \$ -                    | \$ -                   |
| 444 A00500A | 46  | COMMERCIAL ST | 56:GOVERNMENTAL          | CITY OF PORTLAND                 | \$ -                    | \$ -                   |
| 444 A00500B | 46  | COMMERCIAL ST | 20:COMMERCIAL CONDOS     | CASCO BAY MHR LLC                | \$ 6,240,000            | \$ 3,556.80            |
| 444 A011001 | 54  | COMMERCIAL ST | 58:LAND BANKS            | CITY OF PORTLAND                 | \$ -                    | \$ -                   |
|             |     |               |                          |                                  | <b>\$ 1,827,322,200</b> | <b>\$ 1,041,573.65</b> |



**MEMORANDUM**  
**City Council Agenda Item**

**FROM:** Mary Davis, Division Director

**DATE:** September 1, 2021

**SUBJECT:** Order 58-21/22 Appropriating \$150,000 from the Housing Trust Fund to Developers Collaborative Predevelopment LLC Re: Phoenix at Danforth - Sponsored by the Housing & Economic Development Committee, Councilor Spencer Thibodeau, Chair

**SPONSOR:** Sponsored by the Housing and Economic Development Committee, Councilor Spencer Thibodeau, Chair

The Housing and Economic Development Committee met on August 31, 2021 and voted unanimously (4-0) to forward this item to the City Council with a recommendation for passage.

**(If sponsored by a Council committee, include the date the committee met and the results of the vote.)**

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading 9/20/2021**

**Final Action 10/4/2021**

**Can action be taken at a later date: No (If no why not?)**

**PRESENTATION:** Mary Davis, Acting Director, Housing and Economic Development Department

**I. SUMMARY**

Developer Collaborative is requesting \$150,000 in additional City subsidies for the Phoenix at Danforth project located at 155 Danforth Street to close a funding gap to construct 30 units of affordable rental housing.

**II. AGENDA DESCRIPTION**

The Housing & Economic Development Committee met on August 31, 2021 and voted unanimously (4-0) to forward this item to the City Council with a recommendation for passage.

Developers Collaborative is proposing to construct 30 units of affordable housing on a site it owns at 155 Danforth Street. 100% of the units will have income restrictions.

The City Council previously approved an Affordable Housing Tax Increment Financing District (Order 280-18/19 and Order 28-18/19) to renovate the existing building at 66 State Street and to construct 155 Danforth Street. \$299,999 in HOME subsidy financing was also approved by the City Council for 155 Danforth Street (Order 33-19/20).

This order appropriates \$150,000 from the Housing Trust Fund to Developers Collaborative for the affordable housing project called Phoenix at Danforth, located at 155 Danforth Street.

This item must be read on two separate days. This is its first reading.

**III. BACKGROUND**

The Housing and Economic Development Committee met on August 31, 2021 and voted unanimously (4-0) to forward this item to the City Council with a recommendation for passage.

Developers Collaborative is proposing to construct 30 units of affordable housing on a site it owns on 155

Danforth Street. 100% of the units will have income restrictions.

The City Council previously approved an Affordable Housing Tax Increment Financing District (Order 280-18/19 and Order 28-18/19) to renovate the existing building at 66 State Street and to construct 155 Danforth Street. \$299,999 in HOME subsidy financing was also approved by the City Council for 155 Danforth Street (Order 33-19/20).

Developers Collaborative initially requested \$300,000 in additional City subsidies. Staff reviewed the revised pro forma along with the initial underwriting for the project and updated assessment information provided by the Tax Assessor's Office. Based on this analysis and the knowledge of potential additional funding from MaineHousing, Housing and Community Development Staff is requesting the City Council approve \$150,000 in gap funding for the project from the Housing Trust Fund. Members of the Housing and Economic Development Committee expressed a preference that should American Rescue Plan funding (ARPA) become available for housing activities, they would prefer that this request be funded through ARPA to preserve the funding available in the Housing Trust Fund.

#### **IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

Increase access to rental and homeownership housing that is safe, affordable, and accessible with emphasis on elders and Covid-related market conditions.

Continue efforts to reduce homelessness, assist people experiencing homelessness through city, regional, and state efforts.

#### **V. FINANCIAL IMPACT**

Recommendation for funding is for \$150,000 in Housing Trust or American Rescue Plan funding.

#### **VI. STAFF ANALYSIS AND BACKGROUND**

Staff Analysis and Background that will not appear in the Agenda Description.

#### **VII. RECOMMENDATION**

Approval by the City Council of the Housing and Economic Development Committee's recommendation of Housing Trust or American Rescue Plan funding in the amount of up to \$150,000.

#### **VIII. LIST ATTACHMENTS**

1. 155 Danforth funding request attachments
2. Appropriating Housing Trust funds for Phoenix at Danforth to Developers Collaborative 9.20.2021doc

Prepared by:

Mary Davis, Division Director

Date: 09/01/2021



**CITY OF PORTLAND**  
**Housing and Economic Development Department**  
**Housing and Community Development Division**

TO: Councilor Thibodeau, Chair  
Members of the Housing and Economic Development Committee  
FROM: Victoria Volent, Housing Program Manager  
Housing and Community Development Division  
DATE: August 18, 2021  
SUBJECT: 155 Danforth Street: Affordable Housing Funding Request

**Introduction**

Developers Collaborative is requesting additional City subsidy to close a funding gap for the new 30-unit affordable housing project known as Phoenix at Danforth (155 Danforth Street) located within the parcel known as 66 State Street. The City Council previously approved an Affordable Housing Tax Increment Financing District to renovate the existing building at 66 State Street (to convert it into a women's housing community with 40 rooming units) and to construct 155 Danforth Street. \$299,999 in HOME subsidy financing was also approved by the City Council for 155 Danforth. If approved by the Housing and Economic Development Committee, the City Council will need to provide final approval for the additional funding.

**Gap Financing**

Developers Collaborative contacted the City in June noting an increase of approximately \$2.3 million in construction costs. Through value engineering, they were able to revise their plans to amend their budget to assist with closing the funding gap. The developer is also exploring additional funding resources recently made available by MaineHousing.

**Staff Recommendation**

Developers Collaborative initially requested \$300,000 in additional City subsidy. Staff reviewed the revised pro forma along with the initial underwriting for the project and updated assessment information provided by the Tax Assessors Office. Based on this analysis and the knowledge of potential additional funding from MaineHousing, HCD staff is requesting the Housing and Economic Development Committee approve and recommend to the City Council support of \$150,000 in gap funding from the Housing Trust Fund for this project.

**Attachments**

Developer Request  
MaineHousing Notice of Increased Subsidy Offerings

Developers Collaborative Predevelopment LLC  
100 Commercial St, Ste 414  
Portland, ME 04101

June 14, 2021

Mary P. Davis, Division Director  
Housing and Community Development Division  
Housing and Community Development Department  
City of Portland  
389 Congress Street, Room 312  
Portland, ME 04101

RE: 155 Danforth Street

Dear Mary,

I am writing to provide an update on 155 Danforth Street, the new construction of 30 affordable apartments. 155 Danforth Street currently has a 50% set of drawings and specifications with the 90% set estimated to be complete by the end of July. 155 Danforth received an updated cost estimate of \$6,244,031 from PM Construction based on the 50% set of plans on March 3, 2021, an increase of approximately \$2.3 million since our last cost estimate. After bringing the development team together for value engineering, we were able to save approximately \$492,000, bringing the updated cost estimate down to \$5,751,991. I've attached an updated pro forma with these construction costs, showing a current gap of approximately \$300,000 after maximizing all other sources. We are hoping to start construction in October to get the foundation in before the winter (to avoid additional cost increases) so we would ideally have a commitment of funds to close this gap by October. Does the City have any additional funds available for projects in the pipeline such as this? I have also provided a quick update on this project to Kristin Styles at Cumberland County as it is my understanding that they are considering potential uses for its allocation of ARP funds, though I am not aware of their timeline.

Please let me know if you have any questions, and if there's any coordination with the City and Cumberland County that could help move this affordable housing project over one more hurdle!

Sincerely,



Laura Reading  
Director of Affordable Housing

PROJECT NAME: Phoenix at Danforth  
LOCATION: Portland

Date:

| DEVELOPMENT ASSUMPTIONS |           |                       |                     |          |             |
|-------------------------|-----------|-----------------------|---------------------|----------|-------------|
| Total Units             | 30        | Inflation Adjustments | Yr 1-5              | Yr. 6-15 | Yr. 16-30   |
| # @ 50% AMI (low HOME)  | 33.3%     | 10                    | Rent                | 2.00%    | 2.50% 3.00% |
| # @ 50% AMI (High HOME) | 0.0%      | 0                     | Operating Expense   | 3.00%    | 3.00% 3.00% |
| # @ 50% AMI (LIHTC)     | 43.3%     | 13                    | Other Income        | 2.00%    | 2.50% 3.00% |
| # @ 60% AMI (LIHTC)     | 23.3%     | 7                     | Debt Coverage Ratio | 1.15     |             |
| # @ Market              | 0.0%      | 0                     | Vacancy             | 5%       |             |
| Appraised Market Value  | 4,297,403 | Market Value/Unit     | \$143,247           |          |             |

| PRO FORMA DEVELOPMENT BUDGET       |               |               |            |           |
|------------------------------------|---------------|---------------|------------|-----------|
|                                    | Residential   | Per Unit      | Commercial | TDC       |
| Site Improvements                  | 449,179       | 14,973        |            | 449,179   |
| Construction                       | 4,706,319     | 156,877       | 0          | 4,706,319 |
| General Requirements               | 341,720       | 11,391        |            | 341,720   |
| Builder Profit                     | 219,123       | 7,304         |            | 219,123   |
| Bond Premium                       | 35,650        | 1,188         |            | 35,650    |
| Construction Contingency           | 5.00% 287,600 | 9,587         | 0          | 287,600   |
| Subtotal Construction Costs        | 6,039,591     | 201,320       | 0          | 6,039,591 |
| Building Permits and Fees          | 93,915        | 3,131         | 0          | 93,915    |
| Survey & Engineering               | 65,000        | 2,167         | 0          | 65,000    |
| Architectural & Design             | 265,200       | 8,840         | 0          | 265,200   |
| Legal                              | 55,000        | 1,833         | 0          | 55,000    |
| Title & Recording                  | 12,000        | 400           | 0          | 12,000    |
| Accounting                         | 8,000         | 267           | 0          | 8,000     |
| Construction Period Tax            | 20,000        | 667           | 0          | 20,000    |
| Construction Period Insurance      | 30,000        | 1,000         | 0          | 30,000    |
| Other                              | 40,000        | 1,333         | 0          | 40,000    |
| Subtotal Soft Costs                | 589,115       | 19,637        | 0          | 589,115   |
| Construction Loan Origination Fees | 0             | 0             | 0          | 0         |
| Construction Loan Interest         | 108,500       | 3,617         | 0          | 108,500   |
| MaineHousing Loan Fees             | 96,200        | 89,650 3,207  | 0          | 96,200    |
| Other Permanent Loan Fees          | 0             | 0             | 0          | 0         |
| Other                              | 0             | 0             | 0          | 0         |
| Subtotal Finance Costs             | 204,700       | 6,823         | 0          | 204,700   |
| Market Survey                      | 6,000         | 200           | 0          | 6,000     |
| Appraisal                          | 6,000         | 200           | 0          | 6,000     |
| Environmental Study                | 15,000        | 500           | 0          | 15,000    |
| LIHTC Fees & Prepaid Monitoring    | 65,924        | 54,551 2,197  | 0          | 65,924    |
| Relocation Costs                   | 0             | 0             | 0          | 0         |
| FF&E                               | 20,000        | 667           | 0          | 20,000    |
| Other                              | 80,000        | 2,667         | 0          | 80,000    |
| Subtotal Miscellaneous             | 192,924       | 6,431         | 0          | 192,924   |
| Acquisition: Buildings             | 0             | 0             | 0          | 0         |
| Acquisition: Land                  | 500,000       | 16,667        | 0          | 500,000   |
| Acquisition: Existing Reserves     | 0             | 0             | 0          | 0         |
| Acquisition: Legal                 | 0             | 0             | 0          | 0         |
| Acquisition: other                 | 0             | 0             | 0          | 0         |
| Subtotal Acquisition               | 500,000       | 16,667        | 0          | 500,000   |
| Operating Deficit Escrow           | 194,690       | 192,189 6,490 | 0          | 194,690   |
| Pre-funded Replacements            | 53,028        | 39,734 1,768  | 0          | 53,028    |
| Tax & Insurance Escrow             | 38,000        | 28,750 1,267  | 0          | 38,000    |
| Working Capital                    | 30,000        | 1,000         | 0          | 30,000    |
| Total Syndication Expenses         | 800           | 27            | 0          | 800       |
| Consultant Fee                     | 0             | 0             | 0          | 0         |
| Developer Overhead                 | 733,333       | 24,444        | 0          | 733,333   |
| Developer Profit                   | 366,667       | 12,222        | 0          | 366,667   |
| Other                              | 0             | 0             | 0          | 0         |
| Subtotal Fee and Reserves          | 1,416,518     | 47,217        | 0          | 1,416,518 |
| Total Project Costs                | 8,942,848     | 298,095       | 0          | 8,942,848 |

|                     |           |
|---------------------|-----------|
| Max LIHTC Available | 418,985   |
| LIHTC Alloc.        | 418,985   |
| Equity yield        | 0.86      |
| Synd. %             | 99.99%    |
| Equity Raise        | 3,602,912 |

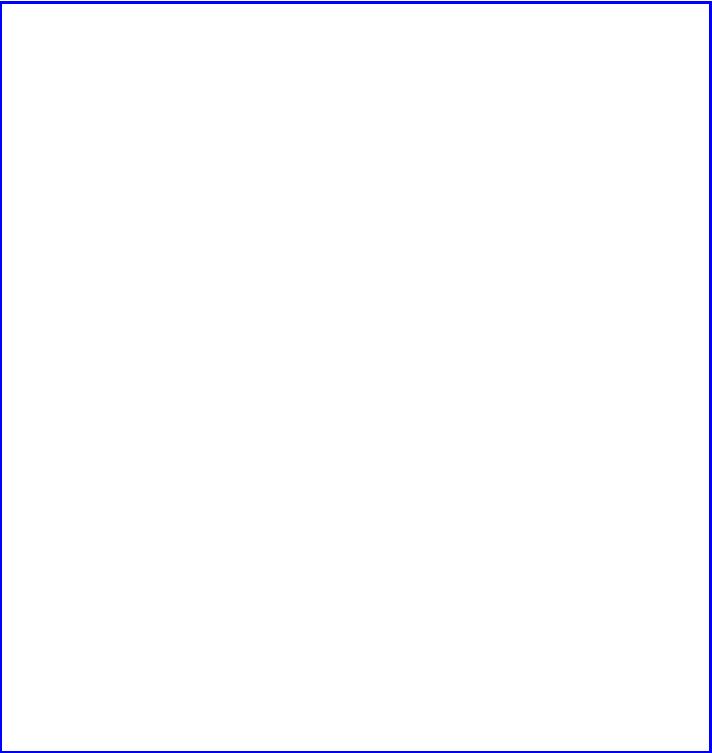
|                     |        |
|---------------------|--------|
| Historic Credit FED | 0      |
| Equity yield        | 0.87   |
| Synd. %             | 99.99% |
| Equity Raise        | 0      |

|                         |         |
|-------------------------|---------|
| Historic Credit STATE   | 0       |
| Equity yield Equivilent | 0.88    |
| Synd. %                 | 100.00% |
| Equity Raise            | 0       |

|                 |     |
|-----------------|-----|
| GP Contribution | 100 |
|-----------------|-----|

|               |           |
|---------------|-----------|
| Total Equity: | 3,603,012 |
|---------------|-----------|

|                           |        |
|---------------------------|--------|
| Gross Square Footage      | 19,645 |
| Construction Cost/Sq ft.  | 293    |
| Total Project Cost/Sq ft. | 455    |



|                                          |           |
|------------------------------------------|-----------|
| Maximum Gross Developer Fee (10%/15%)    | 1,151,427 |
| Maximum Net Developer Fee (per unit max) | 750,000   |
| Actual Proposed Gross Fee                | 1,100,000 |
| % of maximum Gross Fee                   | 95.5%     |
| Proposed Net Fee Collected               | 750,000   |
| % of Maximum Net Fee                     | 100.0%    |

| FLOW OF FUNDS                       |           |           |                     |           |           |           |                                      |                             |            |
|-------------------------------------|-----------|-----------|---------------------|-----------|-----------|-----------|--------------------------------------|-----------------------------|------------|
| Sources                             | CLC       | 25%       | During Construction |           |           | PLC       | 1st Equity<br>Occupancy<br>Milestone | Final<br>Capital<br>Payment | Total      |
|                                     |           |           | 50%                 | 75%       | 100%      |           |                                      |                             |            |
| Beginning Cash                      | 0         | 0         | 0                   | 0         | 0         | 0         | -343,305                             | -343,305                    | 0          |
| Capital Contribution                | 171,419   |           | 171,319             |           |           | 3,035,086 | 180,151                              | 45,038                      | 3,603,012  |
| Construction Loan                   | 1,137,620 | 1,024,238 | 456,599             | 1,543,768 | 1,586,788 |           |                                      |                             | 5,800,000  |
| GP Bridge Loan                      |           |           |                     |           |           |           |                                      |                             | 0          |
| MH: 0% Deferred Loan-FedHOME        | 0         | 500,000   | 500,000             |           |           | 272,399   |                                      |                             | 1,272,399  |
| 0% Deferred Loan-State HOME         |           |           |                     |           |           | 424,133   |                                      |                             | 424,133    |
| Interest Bearing Loan               |           |           |                     |           |           | 2,500,000 |                                      |                             | 2,500,000  |
| Interest Only for 30 Years          |           |           |                     |           |           |           |                                      |                             |            |
| Conventional First Mortgage         |           |           |                     |           |           |           |                                      |                             |            |
| AHP Subsidized Advance              |           |           |                     |           |           | 0         |                                      |                             | 0          |
| City FEDHOME*                       | 0         |           | 405,000             |           |           | 44,999    |                                      |                             | 449,999    |
| AHP Capital Advance*                |           | 0         |                     |           |           | 0         |                                      |                             | 0          |
| TIF Loan*                           | 0         |           |                     |           |           | 0         |                                      |                             | 0          |
|                                     | 0         |           |                     |           |           | 0         |                                      |                             | 0          |
|                                     | 0         |           |                     |           |           | 0         |                                      |                             | 0          |
| Grant*                              | 0         |           |                     |           |           | 0         |                                      |                             | 0          |
| General Partner (or Affiliate) Loan | 0         |           |                     |           |           | 0         |                                      |                             | 0          |
| Deferred Developer Fee              |           |           |                     |           |           | 350,000   |                                      |                             | 350,000    |
| <b>TOTAL SOURCES</b>                | 1,309,039 | 1,524,238 | 1,532,918           | 1,543,768 | 1,586,788 | 6,626,618 | -163,154                             | -298,267                    | 14,399,543 |
| <b>Uses</b>                         |           |           |                     |           |           |           |                                      |                             |            |
| Acquisition                         | 500,000   |           |                     |           |           |           |                                      |                             | 500,000    |
| Construction                        |           | 1,509,898 | 1,509,898           | 1,509,898 | 1,509,898 |           |                                      |                             | 6,039,591  |
| Soft Costs                          | 549,115   | 10,000    | 10,000              | 10,000    | 10,000    | 0         |                                      |                             | 589,115    |
| Financing Costs                     | 96,200    | 4,340     | 13,020              | 23,870    | 36,890    | 30,380    |                                      |                             | 204,700    |
| Miscellaneous                       | 162,924   |           |                     |           |           | 30,000    |                                      |                             | 192,924    |
| Dev Fee                             | 0         |           |                     |           |           | 874,812   | 180,151                              | 45,038                      | 1,100,000  |
| Reserves                            |           |           |                     |           | 30,000    | 285,718   |                                      |                             | 315,718    |
| <b>TOTAL DEV. COSTS</b>             | 1,308,239 | 1,524,238 | 1,532,918           | 1,543,768 | 1,586,788 | 1,220,909 | 180,151                              | 45,038                      | 8,942,048  |
| Repay GP Bridge Loan                |           |           |                     |           |           | 0         |                                      |                             | 0          |
| Repay Construction Loan             |           |           |                     |           |           | 5,749,013 |                                      |                             | 5,800,000  |
| Other Syndication Costs             | 800       |           |                     |           |           |           |                                      |                             | 800        |
| Total Commercial Costs              |           | 0         | 0                   | 0         | 0         |           |                                      |                             | 0          |
| SUBTOTAL OTHER ITEMS                | 800       | 0         | 0                   | 0         | 0         | 5,749,013 | 0                                    | 0                           | 5,800,800  |
| <b>TOTAL USES OF FUNDS</b>          | 1,309,039 | 1,524,238 | 1,532,918           | 1,543,768 | 1,586,788 | 6,969,922 | 180,151                              | 45,038                      | 14,742,848 |
| Ending Cash                         | 0         | 0         | 0                   | 0         | 0         | -343,305  | -343,305                             | -343,305                    | -343,305   |

**50% Test**

|               |           |
|---------------|-----------|
| Agg. Basis    | 8,464,206 |
| Perm. TE      | 2,924,133 |
| <b>34.55%</b> |           |
| Min TE Amt    | 4,660,000 |
| % of CL       | 80%       |
| Bal. of CL    | 1,140,000 |

419950  
76,645

| PROJECT FINANCING                              |           |        |           |            |            |           |           |  |
|------------------------------------------------|-----------|--------|-----------|------------|------------|-----------|-----------|--|
| Source                                         | Amount    | Rate   | Term      | Lien       | Annual D/S |           |           |  |
|                                                |           |        |           |            | Yr. 1-5    | Yr. 6-15  | Yr. 16-30 |  |
| Source 1: 0% Deferred Loan-FedHOME             | 1,272,399 | 0.00%  | 30        | First      | 0          | 0         | 0         |  |
| Source 2: 0% Deferred Loan-State HOME          | 424,133   | 0.00%  | 30        | First      | 0          | 0         | 0         |  |
| Source 3: Interest Bearing Loan                | 2,500,000 | 5.50%  | 30        | First      | 137,500    | 137,500   | 137,500   |  |
| Source 4: Conventional First Mortgage          | 0         | 0.00%  | 30        | First      | 0          | 0         | 0         |  |
| Source 5: City FEDHOME*                        | 449,999   | 0.00%  | 30        | Second     | 0          | 0         | 0         |  |
| Source 6: AHP Capital Advance*                 | 0         | 0.00%  | 30        | Second     | 0          | 0         | 0         |  |
| Source 7: TIF Loan*                            | 0         | 0.00%  | 30        | Second     | 0          | 0         | 0         |  |
| Source 8                                       | 0         | 0.00%  | 30        | Third      | 0          | 0         | 0         |  |
| Source 9                                       | 0         | 0.00%  | 30        | Third      | 0          | 0         | 0         |  |
| Source 10: Grant*                              | 0         |        |           | Third      |            | Grant     |           |  |
| Source 11: General Partner (or Affiliate) Loan | 0         |        |           | Unsecured  |            | Cash Flow |           |  |
| Source 12: Deferred Developer Fee              | 350,000   |        |           | Unsecured  |            | Cash Flow |           |  |
| Source 13: Net Syndication                     | 3,603,012 | \$0.86 | 3,632,499 | (\$29,487) |            |           |           |  |
| Capitalization Gap                             | 343,305   |        |           |            |            |           |           |  |
| Total                                          | 8,942,848 |        |           |            |            |           |           |  |
|                                                | 8479130   |        |           |            |            |           |           |  |

**COLLATERAL COVERAGE**

|                                 | Total     | Per Unit |
|---------------------------------|-----------|----------|
| Projected Mortgage              | 2,500,000 | 83,333   |
| Appraised Market Value          | 4,297,403 | 143,247  |
| Loan to Value Ratio             | 58%       |          |
| Market Rent Differential        | 179,976   | 500      |
| Supportable Mort.: Unrestricted | 5,141,474 | 171,382  |
| Subsidy per Unit                |           | 56,551   |
| Subsidy per Low Income Unit     |           | 56,551   |

| PROPOSED RENT SCHEDULE   |           |         | Maximum<br>Gross<br>LIHTC/HOME<br>Rents | Less<br>Utility<br>Allow. | Maximum<br>Net<br>Tenant<br>Rent | Rents from<br>Applicant | Market<br>Rent | Total<br>Rent |
|--------------------------|-----------|---------|-----------------------------------------|---------------------------|----------------------------------|-------------------------|----------------|---------------|
| Type                     | AMI       | # Units |                                         |                           |                                  |                         |                |               |
| Efficiency               | 50% LHOME | 5       | 878                                     | 30                        | 848                              | 778                     | \$1,185        | 46,680        |
|                          | 50% HHOME | 0       | 1088                                    | 30                        | 1058                             | 778                     | \$1,185        | 0             |
| PBV                      | 50% LIHTC | 7       | \$875                                   | \$30                      | \$845                            | \$778                   | \$1,185        | 65,352        |
|                          | 60% LIHTC | 3       | \$1,050                                 | \$30                      | \$1,020                          | \$946                   | \$1,185        | 34,056        |
| 15                       | Market    | 0       |                                         |                           |                                  | \$0                     | \$1,185        | 0             |
| 1BR                      | 50% LHOME | 5       | 941                                     | 39                        | 902                              | 825                     | \$1,500        | 49,500        |
|                          | 50% HHOME | 0       | 1203                                    | 39                        | 1164                             | 825                     | \$1,500        | 0             |
| PBV                      | 50% LIHTC | 6       | \$937                                   | \$39                      | \$898                            | \$825                   | \$1,500        | 59,400        |
|                          | 60% LIHTC | 4       | \$1,125                                 | \$39                      | \$1,086                          | \$1,007                 | \$1,500        | 48,336        |
| 15                       | Market    | 0       |                                         |                           |                                  | \$0                     | \$1,500        | 0             |
| 2BR                      | 50% LHOME |         |                                         |                           |                                  |                         |                |               |
|                          | 50% HHOME |         |                                         |                           |                                  |                         |                |               |
|                          | 50% LIHTC | 0       | \$0                                     | \$0                       | \$0                              | \$0                     | \$0            | 0             |
|                          | 60% LIHTC | 0       | \$0                                     | \$0                       | \$0                              | \$0                     | \$0            | 0             |
| 0                        | Market    | 0       |                                         |                           |                                  | \$0                     | \$0            | 0             |
| 3BR                      | 50% LHOME |         |                                         |                           |                                  |                         |                |               |
|                          | 50% HHOME |         |                                         |                           |                                  |                         |                |               |
|                          | 50% LIHTC | 0       | \$0                                     | \$0                       | \$0                              | \$0                     | \$0            | 0             |
|                          | 60% LIHTC | 0       | \$0                                     | \$0                       | \$0                              | \$0                     | \$0            | 0             |
| 0                        | Market    | 0       |                                         |                           |                                  | \$0                     | \$0            | 0             |
| 4BR                      | 50% LHOME |         |                                         |                           |                                  |                         |                |               |
|                          | 50% HHOME |         |                                         |                           |                                  |                         |                |               |
|                          | 50% LIHTC | 0       | \$0                                     | \$0                       | \$0                              | \$0                     | \$0            | 0             |
|                          | 60% LIHTC | 0       | \$0                                     | \$0                       | \$0                              | \$0                     | \$0            | 0             |
| 0                        | Market    | 0       |                                         |                           |                                  | \$0                     | \$0            | 0             |
| Other:                   |           |         |                                         |                           |                                  |                         |                | 0             |
|                          |           |         |                                         |                           |                                  |                         |                | 0             |
| Subtotals                |           | 30      |                                         |                           |                                  |                         |                | 303,324       |
| Income from Laundry:     |           |         |                                         |                           |                                  |                         | 0              | 0             |
| Other Income: HAP Income |           |         |                                         |                           |                                  |                         | 7,591          | 91,092        |
| Vacancy Rate             |           |         |                                         |                           |                                  |                         | 5%             | (19,721)      |
| Other Income: TIF income |           |         |                                         |                           |                                  |                         | 3,000          | 36,000        |
| Effective Gross Income   |           |         |                                         |                           |                                  |                         |                | 410,695       |

| AFFORDABLE AMORTIZING MORTGAGE CALCULATION |       |           |
|--------------------------------------------|-------|-----------|
| Effective Gross Income                     |       | 410,695   |
| Annual Operating Expense                   |       | 246,879   |
| Stabilized NOI                             |       | 163,816   |
| DSC                                        | 1.15  | 21,367    |
| \$ Avail for D/S                           |       | 142,449   |
| Other DS                                   |       | 0         |
| Balance                                    |       | 142,449   |
| Affordable Fully Amortizing Mortgage       | 5.50% | 2,090,696 |
| Affordable Interest Only Mortgage          | 5.50% | 2,589,979 |

| BREAKEVEN ANALYSIS: |  | RENT SENSITIVITY |  | OCCUPANCY           |         |
|---------------------|--|------------------|--|---------------------|---------|
|                     |  | Total            |  | Annual              |         |
| Operating Expense   |  | 246,879          |  | Gross Revenues      | 394,416 |
| Debt Service        |  | 137,500          |  |                     |         |
| Breakeven Rent      |  | 1,068            |  | Breakeven Occupancy | 97%     |

| OPERATING EXPENSES                  |         |                    |                     |
|-------------------------------------|---------|--------------------|---------------------|
| Expense                             | Annual  | Annual<br>Per Unit | Monthly<br>Per Unit |
| Administrative Expenses:            |         |                    |                     |
| Management Fees                     | 28,749  | 958                | 80                  |
| Management Charges                  | 7,000   | 233                | 19                  |
| Marketing Expenses                  | 1,500   | 50                 | 4                   |
| Legal Expenses                      | 1,500   | 50                 | 4                   |
| Auditing Expenses                   | 7,500   | 250                | 21                  |
| Other Administrative Expenses       | 5,960   | 199                | 17                  |
| Administrative Expenses             | 52,209  | 1,740              | 145                 |
| Operating Expenses:                 |         |                    |                     |
| Janitorial Payroll                  | 0       | 0                  | 0                   |
| Janitorial Supplies and Equipment   | 4,500   | 150                | 13                  |
| Janitorial Contractual Services     | 6,000   | 200                | 17                  |
| Fuel and Gas                        | 19,500  | 650                | 54                  |
| Electricity                         | 12,000  | 400                | 33                  |
| Water and Sewer                     | 10,500  | 350                | 29                  |
| Garbage and Trash Removal           | 3,000   | 100                | 8                   |
| Vehicle and Equipment Expenses      | 0       | 0                  | 0                   |
| Other Operating Expenses            | 0       | 0                  | 0                   |
| Operating Expenses                  | 55,500  | 1,850              | 154                 |
| Maintenance Expenses:               |         |                    |                     |
| Grounds Maintenance Payroll         | 0       | 0                  | 0                   |
| Grounds Tools and Supplies          | 0       | 0                  | 0                   |
| Grounds Contractual Services        | 17,250  | 575                | 48                  |
| Miscellaneous Ground Maintenance    | 0       | 0                  | 0                   |
|                                     |         | 0                  | 0                   |
| Building Maintenance Payroll        | 0       | 0                  | 0                   |
| Building Tools and Supplies         | 3,000   | 100                | 8                   |
| Building Contractual Services       | 0       | 0                  | 0                   |
| Building Systems Maintenance        | 30,000  | 1,000              | 83                  |
| Miscellaneous Building Maintenance  | 4,500   | 150                | 13                  |
|                                     |         | 0                  | 0                   |
| Maintenance Expenses                | 54,750  | 1,825              | 152                 |
| General Expenses:                   |         |                    |                     |
| Property Taxes                      | 48,000  | 1,600              | 133                 |
| Property and Liability Insurance    | 12,000  | 400                | 33                  |
| Tenant Service Expenses             | 10,920  | 364                | 30                  |
| Other General Expenses              | 0       | 0                  | 0                   |
| General Expenses                    | 70,920  | 2,364              | 197                 |
| Net Ex                              | 233,379 | 7,779              |                     |
| Replacement Reserve Funding         | 13,500  | 450                | 38                  |
| Commercial Expenses (if applicable) | 0       | 0                  | 0                   |
| Total                               | 246,879 | 8,229              | 686                 |

**Management Costs Analysis**

|                               |        |        |
|-------------------------------|--------|--------|
| Management Fees               | 28,749 |        |
| Management Charges            | 7,000  |        |
| Other Administrative Expenses | 5,960  | 41,709 |

Effective Gross Rental Income 283,603  
**Cost Percentage for use in Management Agreement 15%**



| PROFORMA OPERATING INCOME AND EXPENSE STATEMENT |           |            |            |            |            |            |            |            |            |            |            |            |
|-------------------------------------------------|-----------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|
|                                                 | 6 Months  |            |            |            |            |            |            |            |            |            |            |            |
|                                                 | 7/1/2022  | 12/31/2022 | 12/31/2023 | 12/31/2024 | 12/31/2025 | 12/31/2026 | 12/31/2027 | 12/31/2028 | 12/31/2029 | 12/31/2030 | 12/31/2031 | 12/31/2032 |
| Effective Gross Income                          |           | 205,348    | 418,909    | 427,287    | 435,833    | 444,550    | 455,663    | 467,055    | 478,731    | 490,700    | 502,967    | 515,541    |
| Less Operating Expense                          |           | 123,440    | 254,285    | 261,914    | 269,771    | 277,864    | 286,200    | 294,786    | 303,630    | 312,739    | 322,121    | 331,785    |
| Net Operating Income                            |           | 81,908     | 164,624    | 165,373    | 166,062    | 166,685    | 169,463    | 172,269    | 175,101    | 177,961    | 180,846    | 183,757    |
| Less RLP Repay                                  |           | 68,750     | 137,500    | 137,500    | 137,500    | 137,500    | 137,500    | 137,500    | 137,500    | 137,500    | 137,500    | 137,500    |
| Less Other Repay                                |           | 0          | 0          | 0          | 0          | 0          | 0          | 0          | 0          | 0          | 0          | 0          |
| Cash Flow                                       |           | 13,158     | 27,124     | 27,873     | 28,562     | 29,185     | 31,963     | 34,769     | 37,601     | 40,461     | 43,346     | 46,257     |
| Cash Flow per Unit                              |           | 877        | 904        | 929        | 952        | 973        | 1,065      | 1,159      | 1,253      | 1,349      | 1,445      | 1,542      |
| Debt Coverage Ratio(RLP)                        |           | 1.19       | 1.20       | 1.20       | 1.21       | 1.21       | 1.23       | 1.25       | 1.27       | 1.29       | 1.32       | 1.34       |
| Principal Balance(RLP)                          | 4,196,532 | 4,196,532  | 4,196,532  | 4,196,532  | 4,196,532  | 4,196,532  | 4,196,532  | 4,196,532  | 4,196,532  | 4,196,532  | 4,196,532  | 4,196,532  |
| Principal Balance(Other)                        | 449,999   | 449,999    | 449,999    | 449,999    | 449,999    | 449,999    | 449,999    | 449,999    | 449,999    | 449,999    | 449,999    | 449,999    |
| Operating Reserve Balance                       | 194,690   | 197,610    | 200,574    | 203,583    | 206,636    | 209,736    | 212,882    | 216,075    | 219,316    | 222,606    | 225,945    | 229,334    |

Total Cash Flow  
Projected over 12 Years  
**461,640**

| PROFORMA OPERATING INCOME AND EXPENSE STATEMENT, continued |            |            |            |            |            |            |            |            |            |            |            |         |
|------------------------------------------------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|---------|
|                                                            | Yr 15      |            |            |            |            |            |            |            |            |            |            |         |
|                                                            | 12/31/2033 | 12/31/2034 | 12/31/2035 | 12/31/2036 | 12/31/2037 | 12/31/2038 | 12/31/2039 | 12/31/2040 | 12/31/2041 | 12/31/2042 | 12/31/2043 |         |
| Effective Gross Income                                     | 528,430    | 541,641    | 555,182    | 569,061    | 583,288    | 600,786    | 618,810    | 637,374    | 656,495    | 676,190    | 696,476    |         |
| Less Operating Expense                                     | 341,738    | 351,990    | 362,550    | 373,427    | 384,629    | 396,168    | 408,053    | 420,295    | 432,904    | 445,891    | 459,268    |         |
| Net Operating Income                                       | 186,692    | 189,650    | 192,632    | 195,635    | 198,658    | 204,618    | 210,757    | 217,079    | 223,592    | 230,299    | 237,208    |         |
| Less RLP Repay                                             | 137,500    | 137,500    | 137,500    | 137,500    | 137,500    | 137,500    | 137,500    | 137,500    | 137,500    | 137,500    | 137,500    |         |
| Less Other Repay                                           | 0          | 0          | 0          | 0          | 0          | 0          | 0          | 0          | 0          | 0          | 0          |         |
| Cash Flow                                                  | 49,192     | 52,150     | 55,132     | 58,135     | 61,158     | 67,118     | 73,257     | 79,579     | 86,092     | 92,799     | 99,708     |         |
| Cash Flow per Unit                                         | 1,640      | 1,738      | 1,838      | 1,938      | 2,039      | 2,237      | 2,442      | 2,653      | 2,870      | 3,093      | 3,324      |         |
| Debt Coverage Ratio(RLP)                                   | 1.36       | 1.38       | 1.40       | 1.42       | 1.44       | 1.49       | 1.53       | 1.58       | 1.63       | 1.67       | 1.73       |         |
| Principal Balance(RLP)                                     | 4,196,532  | 4,196,532  | 4,196,532  | 4,196,532  | 4,196,532  | 4,196,532  | 4,196,532  | 4,196,532  | 4,196,532  | 4,196,532  | 4,196,532  |         |
| Principal Balance(Other)                                   | 449,999    | 449,999    | 449,999    | 449,999    | 449,999    | 449,999    | 449,999    | 449,999    | 449,999    | 449,999    | 449,999    |         |
| Operating Reserve Balance                                  | 229,334    | 232,774    | 236,266    | 239,810    | 243,407    | 247,058    | 250,764    | 254,525    | 258,343    | 262,219    | 266,152    | 270,144 |

| PROFORMA OPERATING INCOME AND EXPENSE STATEMENT, continued |            |            |            |            |            |            |            |            |           |  |
|------------------------------------------------------------|------------|------------|------------|------------|------------|------------|------------|------------|-----------|--|
|                                                            | 12/31/2044 | 12/31/2045 | 12/31/2046 | 12/31/2047 | 12/31/2048 | 12/31/2049 | 12/31/2050 | 12/31/2051 | 6/30/2052 |  |
| Effective Gross Income                                     | 717,370    | 738,891    | 761,058    | 783,890    | 807,407    | 831,629    | 856,578    | 882,275    | 454,372   |  |
| Less Operating Expense                                     | 473,046    | 487,237    | 501,854    | 516,910    | 532,417    | 548,390    | 564,841    | 581,787    | 299,620   |  |
| Net Operating Income                                       | 244,325    | 251,654    | 259,204    | 266,980    | 274,990    | 283,239    | 291,736    | 300,488    | 154,752   |  |
| Less RLP Repay                                             | 137,500    | 137,500    | 137,500    | 137,500    | 137,500    | 137,500    | 137,500    | 137,500    | 68,750    |  |
| Less Other Repay                                           | 0          | 0          | 0          | 0          | 0          | 0          | 0          | 0          | 0         |  |
| Cash Flow                                                  | 106,825    | 114,154    | 121,704    | 129,480    | 137,490    | 145,739    | 154,236    | 162,988    | 86,002    |  |
| Cash Flow per Unit                                         | 3,561      | 3,805      | 4,057      | 4,316      | 4,583      | 4,858      | 5,141      | 5,433      | 5,733     |  |
| Debt Coverage Ratio(RLP)                                   | 1.78       | 1.83       | 1.89       | 1.94       | 2.00       | 2.06       | 2.12       | 2.19       | 2.25      |  |
| Principal Balance(RLP)                                     | 4,196,532  | 4,196,532  | 4,196,532  | 4,196,532  | 4,196,532  | 4,196,532  | 4,196,532  | 4,196,532  | 4,196,532 |  |
| Principal Balance(Other)                                   | 449,999    | 449,999    | 449,999    | 449,999    | 449,999    | 449,999    | 449,999    | 449,999    | 449,999   |  |
| Operating Reserve Balance                                  | 270,144    | 274,196    | 278,309    | 282,484    | 286,721    | 291,022    | 295,387    | 299,818    | 308,880   |  |

**Development Department**  
**August 3, 2021**

**Updated Tax Credit Project 0% Deferred Debt Offerings**

Introduction

In response to increased construction costs, MaineHousing is offering additional 0% deferred debt (“subsidy”) financing for tax credit projects in the Development Department’s current project pipeline. This subsidy is only available for the projects outlined below. Future funding rounds cost limits and subsidy offerings will be determined through the usual procedures.

Additional Subsidy Offerings

*2022 9% LIHTC Applicants*

Up to \$40,000 in additional subsidy per unit as needed, with no per-project limit.

*2021 LIHTC Pipeline Projects not yet under construction*

Up to \$30,000 in additional subsidy per unit as needed, with no per-project limit

*2020 LIHTC Pipeline Projects not yet under construction*

Up to \$20,000 in additional subsidy per unit as needed, with no per-project limit

*4% LIHTC Walk-in Program*

Up to \$40,000 in additional subsidy per unit as needed for new construction or adaptive reuse projects until further notice.

Up to \$75,000 per unit in subsidy to be used for Acquisition/Rehabilitation projects, with a total limit of \$10,000,000.

Any subsidy offering may be discontinued at any time.

Please contact Bill Glover at (207) 626-4634, or [bglover@mainehousing.org](mailto:bglover@mainehousing.org) with any questions.

KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW ZARRO (4)

**CITY OF PORTLAND**  
**IN THE CITY COUNCIL**

MARK DION (5)  
APRIL D. FOURNIER(A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER APPROPRIATING \$150,000 FROM THE HOUSING TRUST FUND TO  
DEVELOPERS COLLABORATIVE PREDEVELOPMENT LLC  
RE: PHOENIX AT DANFORTH**

**ORDERED**, that the amount of \$150,000 in Housing Trust funds is hereby appropriated to Developers Collaborative Predevelopment LLC for development costs for the project entitled Phoenix at Danforth located at 155 Danforth Street; and

**BE IT FURTHER ORDERED**, the City Manager or his or her designee is authorized to execute any and all documents necessary to apply for, accept and appropriate the grant, and otherwise carry out the intent of this order.

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** September 13, 2021

**SUBJECT:** Order 59-21/22 Amendment to the Portland City Code Chapter 2 Re: Additional Senior Tax Relief - Sponsored by the Finance Committee, Nicholas Mavodones, Chair

**SPONSOR:** Councilor Nicholas Mavodones, Finance Committee Chair, on Behalf of the Finance Committee (voted 3-0 to recommend this to the full City Council on 9/9/21)

**(If sponsored by a Council committee, include the date the committee met and the results of the vote.)**

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading 9/20/2021**

**Final Action 10/4/2021**

**Can action be taken at a later date: No No. It is essential to have this passed as soon as possible so we can begin communicating the changes to the community.**

**PRESENTATION:** (List the presenter(s), type and length of presentation)

**I. SUMMARY**

This order approves increases to maximum payments via the Portland Senior Tax Equity program (P-STEP) to match State levels (\$1200) and also provides an opportunity for payments to low income senior homeowners who meet certain criteria to have their FY22 payments doubled and applied directly to property taxes due.

**II. AGENDA DESCRIPTION**

The Finance Committee met on September 9, 2021 and voted 3-0 to forward this amendment to the full City Council for approval.

This Order would increase maximum P-STEP payments from \$900 to \$1,200 (matching State of Maine maximum payments) effective upon passage by the City Council. In FY22 only (the "bridge" year), maximum payments would be doubled for eligible applicants who own a homestead in the City and applied directly to property taxes due.

LD 1638 (An Act To Help Seniors and Certain Persons with Disabilities Remain in their Homes by Providing for the Deferral of Property Taxes) was signed into law by Governor Mills on July 19, 2021. Taxpayers who qualify for this program are eligible to defer their property taxes due until the sale of their homes at a later date. Under this program, the State of Maine will pay a municipality directly for any property taxes due, place a lien on the property, but not foreclose on the loan so the property taxpayer could remain in the home as long as necessary. This program is a win-win-win for the State, local municipality, and the property taxpayer. Unfortunately, due to the timing of the law passage, the program will not go into effect until the FY23 tax year (application period opens in January 2022 for FY23 tax bills), so it is not available for the current property tax year. For many low income seniors in Portland, an option for a "bridge program" for the upcoming tax year (FY22) which will assist them until the State deferral program goes into place is necessary. The most critical component of the bridge program is increasing the maximum payments available under the Portland Senior Tax Equity Program (P-STEP).

This item must be read on two separate days. This is its first reading.

**III. BACKGROUND**

In addition to the existing property tax relief programs (highlighted in Appendix A to the attached memo) the City lobbied at the State level on behalf of several proposed tax relief laws enacted in early Summer 2021. One of these laws is LD 1638: An Act To Help Seniors and Certain Persons with Disabilities Remain in their Homes by Providing for the Deferral of Property Taxes, which was signed into law by Governor Mills on July 19, 2021. Taxpayers who qualify for this program are eligible to defer their property taxes due until the sale of their homes at a later date. Under this program the State of Maine would pay a municipality directly for any property taxes due, place a lien on the property, but not foreclose on the loan so the property taxpayer could remain in the home as long as necessary. This program is a win-win-win for the State, local municipality, and the property taxpayer. Unfortunately, due to the timing of the law passage the program will not go into effect until the FY23 tax year (application period opens in January 2022 for FY23 tax bills), so it is not available for the current property tax year. For many low income seniors in Portland who see an increase in their property taxes an option for a “bridge program” for the upcoming tax year (FY22) which will assist them until the State deferral program goes into place is necessary.

The City staff proposal on a bridge program has two important components. The first and the easiest to implement is an increase to our local PSTEP (Portland Senior Tax Equity Program) for low income senior property owners. The PSTEP reimbursement amounts for homeowners would be increased from a maximum of \$900.00 to \$1200 (matching State of Maine maximum payments) effective upon passage by the City Council. FY22 only, maximum payments would be doubled for eligible taxpayers and applied directly to property taxes due. It is estimated this will carry a cost of approximately \$100,000 to the City based on current PSTEP levels however it may be eligible for reimbursement with ARPA funds. The doubling of maximum reimbursement would be applicable for FY22 only, after which the City would follow State limits on reimbursement thresholds (currently \$1200 for age 65 and above). This item requires City Council approval as it modifies City Code Chapter 2.

The second component of the bridge program requires significant additional administrative effort but we feel is critical for those in need. The City would create a bridge program by taking applications from low income senior residents who meet the criteria for deferral under LD1638. The property taxpayers who met the State criteria would be put on a customized payment plan utilizing all available resources including the PSTEP to provide a repayment bridge to FY23 when the State deferral program would be in place. Significant staff outreach would be required with each taxpayer and significant additional administrative burden would be added. No Council action is required on the second half of the bridge. If the PSTEP changes are approved staff will move forward with developing an application, advertising the program, and communicating it to residents.

#### **IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

This directly addresses the City Council Common Goal 2021 related to addressing the property tax burden in the City of Portland.

#### **V. FINANCIAL IMPACT**

None – the City already has the funding for this initiative included in the operating budget and any additional estimated expenditure will be eligible for reimbursement via the American Rescue Plan Act funding.

#### **VI. STAFF ANALYSIS AND BACKGROUND**

#### **VII. RECOMMENDATION**

Approve immediately for implementation in FY22

#### **VIII. LIST ATTACHMENTS**

1. Ch. 2 Additional Senior Tax Relief 9.20.2021
2. Memo: FY22 Property Tax Relief for Low Income Seniors

Prepared by:

Date: 09/13/2021

KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW ZARRO (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

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PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**AMENDMENT TO PORTLAND CITY CODE CHAPTER 2  
Re: ADDITIONAL SENIOR TAX RELIEF**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,  
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

*1. That Sections 2-452, 2-453, 2-455, 2-456, and 2-457 are  
hereby amended to read as follows:*

**Sec. 2-452. Purpose of program; program description.**

The purpose of this article is to establish a Program to  
provide property tax assistance ~~in the form of a refund payment~~  
to income-eligible persons at least sixty-two (62) years of age  
who have a homestead in the City of Portland and who qualify for  
a tax credit under the state program.

**Sec. 2-453. Eligible applicant.**

In order to be an eligible applicant for a benefit from the  
City under the Program, an applicant must demonstrate all of the  
following:

(a) The applicant must be 62 years of age or older and have  
a homestead in the City at the time of application.

~~—— (b) If the applicant owns his or her homestead, the  
applicant paid in full all property taxes for the year for which  
the refund is requested. If the applicant rents his or her  
homestead, the applicant paid rent during the year for which the  
refund is requested.~~

(eb) The applicant has received a tax credit under the  
state program for the prior year.

...



**Sec. 2-455. Determination of eligibility; amount of program benefit.**

If the Director determines that an applicant is an eligible applicant, the Director shall then determine the applicant's program benefit, which shall be the lesser of the following amounts:

(a) The amount of credit the applicant qualified for under the state program;

(b) ~~Nine~~ Twelve-hundred dollars (\$~~900~~1200.00); or

(c) A pro rata share of available monies in the Program fund based on the amount of each eligible applicant's credit under the state program.

For applications received in 2022 only the Director is authorized to double the program benefit, up to the amount of Fiscal Year 2022 property taxes due, for eligible applicants who own a homestead in the City and who qualify for the State of Maine property tax deferral program as outlined in LD 1638 An Act To Help Seniors and Certain Persons with Disabilities Remain in Their Homes by Providing for the Deferral of Property Taxes.

**Sec. 2-456. ~~Creation of program fund~~ Program funding; limitation on payments.**

~~Upon presentation of the budget to the City Council, the City Manager shall propose an appropriation of funds to support this Program program. If the Council approves the appropriation of such funds, they shall be placed in the Program Fund. Any surplus monies available after all payments have been made in a given year shall remain in the Program Fund.~~ In the event that the City Council fails to appropriate funds for the ~~Program Fund~~ program, the Director may search for other available sources of funding to support approved applications. ~~or i~~ If there are insufficient funds in ~~the Program Fund~~ to pay any eligible applicant all or part of the applicant's program benefit, the applicant's request for a benefit under the ~~Program program~~ will not carry over to the next year.

**Sec. 2-457. Payments.**

An eligible applicant shall be mailed a check for the program benefit within thirty days after the City receives satisfactory documentation that the applicant has received a tax credit under

the state program for the prior year if they have no property taxes due. For eligible applicants who have property taxes due the payments will be directly applied to property taxes due.

~~, but no later than September 30th of the year in which the applicant files and application.~~



## CITY OF PORTLAND

**To: Members of the City Council**  
**CC: City Manager Jon P. Jennings**  
**From: Finance Director Brendan T. O'Connell, Assessor Christopher Huff,**  
**Deputy Finance Director Anne Bilodeau, Treasurer Rebekka Conley**  
**Date: August 24th, 2021**  
**Title: FY22 Bridge Program - Property Tax Relief for Low Income Seniors**

### **BACKGROUND - STATE TAX DEFERRAL PROGRAM (LD1638) AND NEED FOR A “BRIDGE” PROGRAM**

The City of Portland is in the final stages of its first City wide revaluation in nearly 15 years. The revaluation is adjusting the taxable values of each property in the municipality to current market values in order to fairly distribute the overall tax burden among all property owners in the City. Although the overall tax burden is not changing as a result of the revaluation, individual property valuations and property tax bill amounts will fluctuate significantly.

The City is working hard to educate the public on the purpose of the revaluation and provide information on property tax relief programs available to residents. In addition to the existing property tax relief programs (highlighted in Appendix A to this memo) the City lobbied at the State level on behalf of several proposed tax relief laws enacted in early Summer 2021. One of these laws is LD 1638: An Act To Help Seniors and Certain Persons with Disabilities Remain in their Homes by Providing for the Deferral of Property Taxes, which was signed into law by Governor Mills on July 19, 2021. Taxpayers who qualify<sup>1</sup> for this program are eligible to defer their property taxes due until the sale of their homes at a later date. Under this program the State of Maine would pay a municipality directly for any property taxes due, place a lien on the property, but not foreclose on the loan so the property taxpayer could remain in the home as long as necessary. This program is a win-win-win for the State, local municipality, and the property taxpayer. Unfortunately, due to the timing of the law passage the program will not go into effect until the FY23 tax year (application period opens in January 2022 for FY23 tax bills), so it is not available for the current property tax year. For many low income seniors in Portland an option for a “bridge program” for the upcoming tax year (FY22) which will assist them until the State deferral program goes into place is necessary.

### **DETAILS - PROPOSED CITY OF PORTLAND BRIDGE PROGRAM**

The City staff proposal on a bridge program has two important components. The first and the easiest to implement is an increase to our local PSTEP (Portland Senior Tax Equity Program) for low income senior property owners. The PSTEP reimbursement amounts for homeowners would be increased from a maximum of \$900.00 to \$1200 (matching State of Maine maximum payments) effective upon passage by the City Council. FY22 only, maximum payments would be doubled for eligible taxpayers and applied directly to property taxes due. It is estimated this will carry a cost of approximately \$100,000 to the City based on current PSTEP levels however it may be eligible for reimbursement with ARPA funds. The doubling of maximum reimbursement would be applicable for FY22 only, after which the City would follow State limits on reimbursement thresholds (currently \$1200 for age 65 and above).

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<sup>1</sup> To qualify for property tax deferral under LD1638 the taxpayer must be 65 years of age or older or unable to work due to disability, must have annual income less than \$40,000 in year preceding application, must have less than \$50,000 in liquid assets or \$75,000 if joint application, and receiving the Homestead Exemption.

The second component requires significant additional administrative effort but we feel is critical for those in need. The City would create a bridge program by taking applications from low income senior residents who meet the criteria for deferral under LD1638. The property taxpayers who met the State criteria would be put on a customized payment plan utilizing all available resources including the PSTEP to provide a repayment bridge to FY23 when the State deferral program would be in place. Significant staff outreach would be required with each taxpayer and significant additional administrative burden would be added. Treasury staff is already at full capacity therefore an additional Treasury resource would be required at a CEBA union grade 13 (approximately \$21/hour for recruit step) to administer this program and help with other Treasury workload.

**NOTE:** This proposal was passed unanimously by the Finance Committee on 9/9/21 (3-0)

# Property Tax Relief Programs

• • •  
City Council Finance Committee  
July 22, 2021



| <u>Real Estate Taxes</u>                                                         | <u>Business Personal Property Taxes</u>     | <u>Income Taxes</u>                         | <u>Current Land Use Tax Programs</u> |
|----------------------------------------------------------------------------------|---------------------------------------------|---------------------------------------------|--------------------------------------|
| Homestead Exemption                                                              | Business Equipment Tax Reimbursement (BETR) | Property Tax Fairness Credit (PTFC)         | Farmland                             |
| Veterans, Surviving Spouse, Minor Child or Widowed Parent of a Veteran Exemption | Business Equipment Tax Exemption (BETE)     | Portland Senior Tax Equity Program (P-STEP) | Open Space                           |
| Blind Persons Exemption                                                          |                                             |                                             | Tree Growth                          |
| Senior Tax Deferral Programs (2)                                                 |                                             |                                             | Working Waterfront                   |
| Renewable Energy Equipment Exemption                                             |                                             |                                             |                                      |

## Real Estate Tax Relief Programs

- Homestead Exemption Program

- Provides property tax relief for individuals that have owned a home for at least 12 months and occupy it as their primary residence
- Provides \$25,000 of exempted value
- One time application; deadline is April 1st each year
- FY21 - 8,871 approved Portland homesteads; \$448.72 tax reduction
  - Provided \$3.98 million in total tax relief to Portland residents
  - 70% State reimbursement - \$2,786,401

## Real Estate Tax Relief Programs

- Veterans Exemption Program

- Provides property tax relief for Veterans who served during a recognized war period and are:
  - 62 years of age or older; or
  - Receiving 100% disability as a Veteran; or
  - Became 100% disabled while serving
- Provides \$6,000 of exempted value
  - Surviving spouses, minor children and widowed parents eligible
  - Paraplegic Veterans can be eligible for \$50,000 in exempted value
- FY21 - 719 approved Veterans exemptions; \$107.69 tax reduction
  - Provided \$77,429 in total property tax relief
  - 50% State reimbursement - \$38,715

## Real Estate Tax Relief Programs

- Blind Persons Exemption
  - Provides property tax relief for 100% legally blind individuals
    - Provides \$4,000 of exempted value
  - FY21 - 21 qualified Blind Person exemptions; \$71.79 tax reduction
    - Provided \$1,508 in property tax relief
    - 50% State reimbursement - \$754
- Renewable Energy Investment Exemption
  - Exempts some or all of increased assessed value for items such as solar panels, wind turbines and associated equipment
  - Portland does not add assessed value for these items, therefore we do not participate in this program

## Current Land Use Programs

The State of Maine has four “current use” programs that offer property owners a reduction in assessed value by establishing property valuation at its current use, rather than at market value

- Farmland
  - 5 contiguous acres used for farming, agriculture or horticulture
  - Must generate \$2,000 in gross income from these activities each year
  - FY21 - 3 parcels enrolled covering 26.2 acres; provided \$10,145 in tax relief
- Tree Growth
  - 10 acres or more of forested land used for commercial harvesting
  - Forest management and harvest plan required by licensed Maine Forester
  - FY21 - 3 parcels enrolled covering 85.7 acres; provided \$68,745 in tax relief



## Current Land Use Programs

- Open Space
  - Eligible parcels are preserved or deed restricted to provide a public benefit
    - Public recreation, scenic resources, game management, wildlife habitat
    - Up to a 95% reduction in value on land
  - FY21 - 23 parcels enrolled covering 229.4 acres; provided \$365,712 in tax relief
- Working Waterfront
  - Eligible parcels abutting tidal waters or located in intertidal zone
    - More than 50% of parcel used to support commercial fishing activities
    - Up to 50% reduction in value of land
  - FY21 - 1 parcels enrolled; provided \$1,577 in tax relief

## Business Personal Property Tax Relief Programs

- Business Equipment Tax Reimbursement (BETR)
  - Programs were developed to encourage capital investment in Maine
  - Reimburses taxpayers for local property taxes paid on most qualified business assets first placed in service between April 1, 1995 and April 1, 2007
- FY20 - 203 applications received; taxpayers reimbursed \$1,446,657
- Business Equipment Tax Exemption (BETE)
  - Provides 100% tax exemption for eligible business assets first subject to taxation on or after April 1, 2008
- FY21 - 426 applications received; \$253,325,290 in exempted PP assets
  - \$5,905,013 in tax relief
  - 53.09% State reimbursement - \$3,135,148

## Income Tax Relief Programs

- Maine Property Tax Fairness Credit (PTFC)
  - Eligible Maine taxpayers receive a portion of the property taxes or rent they paid during the tax year on their Maine 1040ME income tax return, whether they owe income tax or not
  - Schedule PTFC determines the credit amount based on income, property tax and/or rent paid
- Portland Senior Tax Equity Program (P-STEP)
  - Provides tax relief in the form of a direct payment to Portland seniors (62 or older) who receive a PTFC credit from the State of Maine
  - PTFC credit is matched dollar for dollar, up to \$900
  - Annual application period is January through June
- FY21 - 194 applications with \$135,203 in total refunds

## Senior Tax Deferral Programs

- Municipal Property Tax Deferral for Senior Citizens
  - Allows municipalities to enact a property tax deferral program to help elderly homeowners keep their homes
    - Taxpayer must be at least 70 years of age
    - Must have owned their home for at least 10 years
    - Income cannot exceed 300% of the federal poverty level
  - Eligibility is determined by the municipality
  - A lien is established and recorded in the Registry of Deeds each year of deferral
  - Interest accrues on deferred taxes at .5% above the annual delinquent rate
  - All administrative duties of processing, noticing, filing and record keeping are the responsibility of the local municipality

## Senior Tax Deferral Programs

- Municipal Property Tax Deferral for Senior Citizens
  - Events requiring the payment of deferred taxes and interest
    - The taxpayer passes away
    - The property sells or transfers to a new owner
    - The property is no longer occupied by the taxpayer (except if absence is health related)
  - If transferred to a family member of the same household, they may apply for continuation of the deferral

## Senior Tax Deferral Programs

- LD 1638: An Act To Help Seniors and Certain Persons with Disabilities Remain in their Homes by Providing for the Deferral of Property Taxes
  - Signed into law by Governor Mills on Monday, 7/19/21
  - Taxpayer must be 65 years of age or older or unable to work due to disability
  - Taxpayer has annual income less than \$40,000 in year preceding application
  - Taxpayer has less than \$50,000 in liquid assets or \$75,000 if joint application
  - Taxpayer must be receiving the Homestead Exemption
  - Program will be in place for tax year **FY23**

## Senior Tax Deferral Programs

- LD 1638: An Act To Help Seniors and Certain Persons with Disabilities Remain in their Homes by Providing for the Deferral of Property Taxes
  - Applications are submitted to the local assessment office and forwarded to the State Tax Assessor for determination of eligibility and approval
  - Once approved, the State pays the municipality the deferred taxes for the year
  - Administrative duties of processing, noticing, and filing are the responsibility of the State
  - Same events trigger the repayment of deferred taxes and interest with the State collecting those amounts